

urging passage of Senate bill 1222; to the Committee on World War Veterans' Legislation.

648. By Mr. FOSS: Petition of Horace Mann and 100 other citizens of Massachusetts, protesting against any revision of the calendar; to the Committee on Foreign Affairs.

649. By Mr. HOPE: Petition signed by members and friends of the Grand Army of the Republic and Women's Relief Corps of Garden City, Kans., urging the early consideration of the Robinson bill (S. 477); to the Committee on Invalid Pensions.

650. By Mr. JENKINS: Petition signed by 60 citizens of Eureka, Ohio, urging the Congress of the United States to take immediate steps at the special session to bring to a vote a Civil War pension bill carrying rates of \$72 per month for every Civil War survivor, \$125 per month for every Civil War survivor requiring aid and attendance, \$150 per month for veterans totally blind, and \$50 per month for every Civil War widow; to the Committee on Invalid Pensions.

651. By Mr. MOREHEAD: Petition signed by more than 50 people, urging Congress to consider a bill increasing the amount of pension to Civil War veterans and their widows, as follows: \$72 per month for every Civil War survivor, \$125 per month for every Civil War survivor requiring aid and attendance, \$150 per month for veterans totally blind, and \$50 per month for every Civil War widow; to the Committee on Invalid Pensions.

652. By Mr. ROBINSON of Iowa: Petition from John T. Boylan, of Eldora, Hardin County, Iowa, which is also signed by a very large number of other citizens of Eldora, New Providence, Alden, and Hubbard, Iowa, and citizens of Hardin County, Iowa, in support of the Reed-Curtis bill, to create a department of education; to the Committee on Education.

SENATE

TUESDAY, June 11, 1929

(Legislative day of Tuesday, June 4, 1929)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. JOHNSON obtained the floor.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from California yield for that purpose?

Mr. JOHNSON. I yield.

The VICE PRESIDENT. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	King	Shortridge
Ashurst	George	La Follette	Simmons
Barkley	Gillett	McKellar	Smith
Bingham	Glass	McMaster	Smoot
Blaise	Glenn	McNary	Steck
Borah	Goff	Metcalf	Stelwer
Bratton	Goldsbrough	Moses	Swanson
Brookhart	Greene	Norbeck	Thomas, Idaho
Broussard	Hale	Norris	Thomas, Okla.
Burton	Harris	Nye	Townsend
Capper	Harrison	Oddie	Trammell
Caraway	Hastings	Overman	Tydings
Connally	Hatfield	Patterson	Tyson
Copeland	Hawes	Philips	Vandenberg
Cousens	Hayden	Pine	Wagner
Cutting	Hebert	Pittman	Walcott
Dale	Heflin	Ransdell	Walsh, Mass.
Deneen	Howell	Reed	Walsh, Mont.
Dill	Johnson	Robinson, Ark.	Warren
Edge	Jones	Sackett	Waterman
Fess	Kean	Schall	Watson
Fletcher	Keyes	Sheppard	Wheeler

Mr. LA FOLLETTE. My colleague the junior Senator from Wisconsin [Mr. BLAINE] is necessarily absent. I ask that this announcement may stand for the day.

Mr. HEFLIN. I wish to announce that my colleague [Mr. BLACK] is necessarily absent owing to illness.

The VICE PRESIDENT. Eighty-eight Senators have answered to their names. A quorum is present.

SUPREME COURT BUILDING (H. DOC. NO. 36)

The VICE PRESIDENT laid before the Senate a communication from the executive officer of the United States Supreme Court Building Commission submitting, pursuant to law, the report of that commission, together with estimates of costs and photographs relating thereto, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed with illustrations.

NATIONAL ORIGINS

The VICE PRESIDENT laid before the Senate a telegram signed by William Schaumann, secretary of the Nordic Aryan

Federation, Portland, Oreg., relative to the national-origins clause of the immigration act, stating in part, "Most of the Nordics live on the European Continent, not in Great Britain, and the original homeland of the Anglo-Saxon is Germany. England and North America are but colonies, new lands of the Nordics," which was referred to the Committee on Immigration.

MEMORIAL

Mr. JONES presented a resolution of the Hollingsworth Civic Center Township Association of Washington, remonstrating against the adoption of the so-called debenture plan for farm relief, which was ordered to lie on the table.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TYDINGS:

A bill (S. 1471) authorizing the President to restore Lieut. Commander William H. Porter, United States Navy, to a place on the list of lieutenant commanders of the Navy to rank next after Lieut. Commander George B. Wilson, United States Navy (with accompanying papers); to the Committee on Naval Affairs.

By Mr. CAPPER:

A bill (S. 1472) to provide, in the interest of public health, comfort, morals, safety, and welfare, for the discontinuance of the use, as dwellings, of buildings situated in the alleys of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 1473) granting an increase of pension to Anna Barrett (with accompanying papers); to the Committee on Pensions.

By Mr. BROOKHART:

A bill (S. 1474) granting a pension to Anna Dodge (with accompanying papers);

A bill (S. 1475) granting a pension to Dr. Charles French (with accompanying papers);

A bill (S. 1476) granting an increase of pension to Mary A. Blodgett (with an accompanying paper); and

A bill (S. 1477) granting an increase of pension to Elizabeth E. Fulton; to the Committee on Pensions.

By Mr. STECK:

A bill (S. 1478) granting a pension to Andrew E. Johnson; and

A bill (S. 1479) granting a pension to Harry Chaney Bosworth; to the Committee on Pensions.

A bill (S. 1480) for the relief of Andrew Hansen; and

A bill (S. 1481) for the relief of John F. Korbel; to the Committee on Claims.

By Mr. KEYES:

A bill (S. 1482) to provide for the construction of a building for the Supreme Court of the United States; to the Committee on Public Buildings and Grounds.

By Mr. GILLETT:

A bill (S. 1483) granting a pension to Myles McDonogh; to the Committee on Pensions.

By Mr. MCKELLAR:

A bill (S. 1484) to extend the civil service to the Library of Congress; to the Committee on Civil Service.

By Mr. BARKLEY:

A bill (S. 1485) to reinstate Frank W. Simpson, formerly lieutenant, Coast Artillery, United States Army, as a first lieutenant in the United States Army; to the Committee on Military Affairs.

NATIONAL FOREST ROADS AND TRAILS

Mr. ODDIE introduced a bill (S. 1486) to amend the act entitled "An act to amend the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes," approved May 26, 1923, which was read twice by its title.

Mr. ODDIE. Mr. President, the bill I have just introduced provides for an increase in the annual appropriation for national forest roads from \$7,500,000 to \$12,500,000. It is a companion measure to the one I have already introduced at the present session relating to the building of roads on the public domain in national parks and on Indian reservations. I move that the bill I have just introduced be referred to the Committee on Post Offices and Post Roads.

The motion was agreed to.

BAGGING, SACKCLOTH, ETC.

Mr. RANSDELL submitted an amendment intended to be proposed by him to House bill 2667, the tariff revision bill, which was referred to the Committee on Finance and ordered to be printed.

PEAS, PEPPERS, TOMATOES

Mr. ASHURST submitted three amendments intended to be proposed by him to House bill 2667, the tariff revision bill, which were referred to the Committee on Finance and ordered to be printed.

DUTY ON IMPORTATION OF SILVER

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed in the RECORD a very able brief filed with the Finance Committee by the Senator from Nevada [Mr. PITTMAN] in support of his proposed amendment to the 1929 tariff act, providing a duty of 30 cents per fine ounce on the importation of silver.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

To the FINANCE COMMITTEE,

United States Senate:

I have the honor to submit for your consideration the following brief in support of my proposed amendment to the 1929 tariff act, providing a duty of 30 cents per fine ounce upon the importation of silver, which proposed amendment was introduced in the Senate and referred to your committee. A copy of such proposed amendment is hereto attached:

Condition of silver-producing industry in United States

	Cents
1913. Average wholesale price of silver per fine ounce.....	61
1928. Average wholesale price of silver per fine ounce.....	57
1929. Average wholesale price of silver per fine ounce, as of date of this brief.....	54

For substantiation of these figures I refer you to page 119 of the annual report of the Director of the United States Mints for fiscal year ended June 30, 1928—last report available—and current market quotations.

Attention is invited to the fact that the price of silver is 12 per cent below the pre-war price, whilst the average wholesale price of all other commodities is 38.7 per cent above the pre-war price of 1913.

I again refer to the said report wherein the Director of the Mint, at page 8, says:

"Silver of domestic production during 1927 totaled 60,434,441 ounces, valued at \$34,266,328. This compares with 62,718,746 ounces, valued at \$39,136,497 for 1926, and with the record production of 1915, 74,961,075 fine ounces, valued at \$37,397,300."

The decrease in the production of mines in the United States, the principal value of whose ores is silver, is even greater than is indicated by the above figures. In some mines the production of silver has increased by reason of increased production of copper, but the decrease in those mines known as silver mines has been very great. In support of this assertion I again quote from the said report, at page 29, wherein the Director of the Mint says:

"Individual States' material differences in silver production as compared with the prior year include decreases of approximately 1,000,000 ounces each in Arizona, Colorado, and Nevada, and an increase of over 1,300,000 ounces in Idaho."

The increase in the production of silver in Idaho was due to the increase in the production of lead and copper mines in that State where silver was produced as a by-product. Taking the total production of the States of Arizona, Colorado, and Nevada for 1927, it will be ascertained from such statement of the Director of the Mint that the decrease in those States represents the following percentages:

	Per cent
Arizona.....	14
Colorado.....	20
Nevada.....	20

The States of Arizona, Colorado, and Nevada, which show such enormous decrease in the production of silver, chiefly contain those mines known as "silver mines," the chief value of whose ores is in silver. Many of the "silver mines" in the United States have closed down by reason of the low price of the metal, the high cost of mining, and the large importation of silver from Latin-American countries, where standards of living are low and labor is cheap. Whilst the production of "silver mines" in the United States has decreased, the production of "silver mines" in Latin-American countries has greatly increased.

The chief production of silver in the United States at the present time is derived from the mining of mixed ores such as copper, lead, and zinc ores in the Western States where the silver occurs as a by-product. While such by-product is comparatively small in value by comparison with the value of the other metals in such ores and does not pay its proportionate part of the cost of the mining and reduction of such ores, it is mixed with the other metals in the ores, and therefore must be mined and separated.

Domestic production, consumption, imports

	Fine ounces
1927. United States production.....	60,434,441
1927. United States consumption.....	50,635,383
1927. United States importation.....	103,941,485

(See pages 8, 9, 41, 46, 47, 78, and 79, Director of the Mint's report before referred to.)

Source of silver imports	Ounces
Mexico.....	69,607,578
South America.....	17,498,903
Canada.....	8,015,890
Other countries.....	8,819,114
Total.....	103,941,485

(See pages 78 and 79 of said mint report.)

COST OF PRODUCTION OF SILVER IN THE UNITED STATES AND IN FOREIGN COUNTRIES FROM WHICH WE IMPORT SILVER

Average wages paid for labor in the leading mines producing silver in the United States, as shown on page 1 of Bulletin No. 394 of United States Bureau of Labor Statistics for 1924 is 59.9 cents per hour, or for an 8-hour day \$4.79. This is the latest report gotten out, and it is well known that wages of miners in the Western States where the metalliferous mines exist were recently increased by reason of the rise in the price of copper, and therefore it is safe to say that the average wage is nearer \$5 per day than \$4.79, which existed in 1924.

Average wages paid for labor in the leading mines producing silver in the other countries exporting to the United States, other than Canada, \$1.21 per day.

I have been unable to obtain the average wage paid miners in Canada, but do not consider it material, as only a small portion of our imports of silver come from Canada.

Take, for instance, the average wage of mine laborers in Mexico, which is approximately the wage paid such labor in other Latin-American countries. I quote from the special report obtained by the Engineering and Mining Journal on January 14, 1928:

"Northern Sonora, 5.27 pesos daily; Chihuahua, 4; Coahuila, 2.85; Lower California, 3.45; Guanajuato, 1.66; Jalisco, 2.07; Zacatecas, 2.88; Hidalgo, 3; Oaxaca, 1.68; Michoacan, 2.10; Guerrero, 1.64; and State of Mexico, 1.65."

These figures are given in pesos. The peso is the standard silver money of Mexico. Its price varies in accordance with the price of silver. At the present time it is worth in our money 41 cents. The highest daily wage paid miners in Mexico is in Sonora, which is 5.27 pesos, which is equal to \$2.15 a day in our money. The average wage paid the miners in Mexico according to the above report, in our money, would be \$1.21.

The only report that I have been able to obtain, as prepared by the Ministry of Industry, Commerce and Labor, Mexico, dealing with the wages of miners in Mexico, relates only to the States of Hidalgo and Guanajuato. This report states that the wages paid to miners (peons), based on an 8-hour day and measured in our money is: State of Hidalgo, \$1.50; State of Guanajuato, \$1.46.

It is hardly probable that a government department of Mexico, who is seeking to maintain her exports to the United States, would underestimate the wages paid to miners. I would give more credence to the report by a special investigator of the Engineering and Mining Journal, which is so conservative and accurate in its statements.

It is not very material, however, which figures we adopt, as the fact remains that the average wages paid in the mines that produce silver in the United States are at least three times the wages paid in similar mines in Mexico. The 8-hour law is not universally adopted in the mines of Mexico as it is in the mines which are the chief producers of silver in the United States. In many cases, and, in fact, in most cases, the day's labor is 10 hours and longer.

I presume that the cost of materials used in mining in the respective countries is similar by comparison to the costs of labor in such countries. This presumption is sustained by the evidence given before the Ways and Means Committee of the House of Representatives in the hearings held upon the 1929 tariff act.

COMPARATIVE ECONOMIC CONDITION OF SILVER MINING INDUSTRY

I ask your consideration of the comparative economic condition of the silver mining industry with industries producing other commodities. Taking the wholesale prices of all commodities in 1913 as the basis for determining the increase or decrease of such prices since that date and until the present time we will assume that the price for the product in 1913 was 100 per cent. In other words, the Department of Commerce in making its index figures to determine the average increase or decrease in the wholesale price of a product since 1913 takes the figures of 100. What are the results of the compilation by the Department of Commerce relative to the increase or decrease in the wholesale price of commodities as of date April, 1929? They are as follows:

1913, average of all commodities.....	100
1929, average of all commodities.....	138.7
1913, average of farm products.....	100
1929, average of farm products.....	146.7
1913, average of all foods.....	100
1929, average of all foods.....	152.2
1913, average of textile products.....	100
1929, average of textile products.....	166.7
1913, average of building products.....	100
1929, average of building products.....	172.7
1913, average price fine silver per ounce.....	100
1929, average price fine silver per ounce.....	88.5

I attach hereto letter from the Department of Commerce transmitting to me index number of wholesale prices by major commodity groups upon which the percentages above set out are taken.

So the prices of all products have risen above the 1913 pre-war prices from 38.7 per cent for an average of all commodities to 72.7 per cent for building products, except silver, and that commodity has decreased in price since 1913 12 per cent.

The tariff bill of 1929, to a certain extent, has provided a tariff duty upon certain raw products that have heretofore been upon the free list, and has slightly increased the tariff duty upon other raw products.

For instance, the following duty is provided on the following metals:

Iron in pigs and iron kentledge, \$1.12½ per ton.

Manganese ore or concentrates containing in excess of 30 per cent of metallic manganese, 1 cent per pound on the metallic manganese contained therein.

Tungsten ore or concentrates, 50 cents per pound on the metallic tungsten contained therein.

Silicon aluminum, aluminum silicon, alumin, ferrosilicon aluminum, and ferroaluminum silicon, 5 cents per pound.

Aluminum, aluminum scrap, and alloys in which aluminum is the component material of chief value, in crude form, 5 cents per pound.

Lead-bearing ores, flue dust, and mattes of all kinds, 1½ cents per pound on the lead contained therein.

Lead bullion or base bullion, lead in pigs and bars, lead dross, reclaimed lead, scrap lead, antimonial lead, antimonial scrap lead, type metal, babbitt metal, solder, all alloys or combinations of lead not specially provided for, 2½ cents per pound on the lead contained therein.

On zinc there is a rising schedule of duties provided.

The manufacture of silver articles and wares is protected. Paragraph 398 provides:

"Articles or wares not specially provided for, if composed wholly or in chief value of platinum, gold, or silver, and articles or wares plated with platinum, gold, or silver, or colored with gold lacquer, whether partly or wholly manufactured, 65 per cent ad valorem; if composed wholly or in chief value of iron, steel, lead, copper, brass, nickel, pewter, zinc, aluminum, or other metal, but not plated with platinum, gold, or silver, or colored with gold lacquer, whether partly or wholly manufactured, 50 per cent ad valorem."

The manufacture of articles or wares made of or containing silver are in competition chiefly with such articles and wares made in such countries as Germany, England, France, and Italy. The average wages paid to laborers in such manufacturing industry in the countries coming in competition with the manufacture of articles and wares containing silver in the United States are not nearly so low by comparison with the American wage in such industry as the wages of miners in Mexico and other Latin-American countries are by comparison with the wages paid in the mines in the United States producing silver.

The value of the silver contained in most of the articles and wares protected in paragraph 398 is only a very small percentage of the total value of such articles and wares.

If silver were placed on an economic equality with the average of all commodities, then the pre-war price of 61 cents per fine ounce would have to be increased 38.7 per cent. If the pre-war price of silver of 61 cents per ounce were increased 38.7 per cent that would mean 23.4 cents, which, added to the pre-war price of 61 cents, would give a price of 84.4 cents per ounce. The difference between the present price of silver of 54 cents and the equalized price of 84 cents would be 30 cents.

If silver were placed upon an economic equality with the average price of all farm products the pre-war price would have to be raised 46.7 per cent, which would mean that the price would be raised 28.4 cents. Twenty-eight and four-tenths cents added to the pre-war price of 61 cents would give 89.4 cents that the price of silver at present would have to be at on an economic equality with the average wholesale price of all farm products.

Deducting the present price of silver of 54 cents from 89.4 cents we have 35.4 cents, the price that would have to be added to the present price of silver to place it upon an economic equality with the average wholesale price of farm products.

It is the desire of the administration, and in fact the expressed desire of both great political parties to raise the average wholesale price of farm products to an economic equality with the wholesale price of other more favored products. If the average wholesale price of farm products is raised, then the wholesale price of silver would have to be raised more than 35.4 cents per ounce to be maintained upon an economic equality with the average wholesale price of farm products.

It is evident, therefore, that a duty of 30 cents an ounce is justified under the pledges of both parties to maintain an economic equality as between the various industries.

If the duty on silver is based on the difference in cost of production in the countries from which silver is imported and the cost of production in the United States, then the duty should be more than 100 per cent ad valorem, or over 54 cents an ounce.

I respectfully contend that this request for a duty of 30 cents an ounce is well within the promises made in the platforms of both the Republican and Democratic Parties relative to duties upon imports.

Silver is a valuable product of our country and is used throughout the world as money in the form of coins. Silver is used almost exclusively as the measure of values and the medium of exchange in China and India. As China becomes pacified and develops, our trade with China should increase, and at least be equal to that of any other country in the world. A large production of silver at that time will be of great value to our whole country.

The closing down of our silver mines throughout the West has affected every industry in that section of our country. It has particularly injured the farmers by depriving them of their most valuable market, the local market.

I unhesitatingly say that the silver-producing industry has not only been the most neglected but has been the most outrageously treated industry of any in the United States. Our own Government buys foreign silver at as cheap a price as it can obtain and then manufactures it into dimes, quarters, and halves and sells such dimes, quarters, and halves to banks and to commerce at a value of \$1.38 an ounce. During the fiscal year 1928, as the report of the Director of the Mint shows, the Treasury Department purchased several million ounces of foreign silver at an average of 57 cents an ounce, and disposed of such silver at a valuation of \$1.38 an ounce in the form of subsidiary coin.

More should be done for the silver-mining industry than is sought in this amendment, but I hope to get immediate action and therefore have made a minimum request.

Respectfully submitted,

KEY PITTMAN,

DEPARTMENT OF COMMERCE,
BUREAU OF FOREIGN AND DOMESTIC COMMERCE,
Washington, May 28, 1929.

Hon. KEY PITTMAN,

United States Senate, Washington, D. C.

MY DEAR SENATOR: Receipt is acknowledged of your letter of May 24 requesting index numbers showing commodity prices on a 1913 base.

The old series of index numbers of the Bureau of Labor Statistics, shown in Table 333 of the Statistical Abstract of the United States for 1928, has been discontinued. The Bureau of Labor Statistics is now issuing regularly a series of index numbers on a 1926 base, but has carried this new series back as far as 1913. For your convenience I am sending you, inclosed, a table showing this new series of index numbers converted to a 1913 base. Data are shown by groups for each year since 1913 and for each month since January, 1928.

I trust that these index numbers will be satisfactory for your purpose.

Very truly yours,

O. P. HOPKINS, Acting Director.

Index numbers of wholesale prices, by major commodity groups
(1913=100)

Year or month	All commodities	Farm products	Foods	Hides and leather products	Textile products	Fuel and lighting	Metals and metal products	Building products	Chemicals and drugs	House furnishing goods	Miscellaneous
1913	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
1914	97.6	99.6	100.8	104.1	95.3	92.3	88.3	92.9	101.5	100.9	96.6
1915	99.6	100.0	101.9	110.9	94.4	84.5	95.0	94.4	139.7	99.5	93.3
1916	122.5	118.0	117.9	137.2	122.9	121.2	128.3	119.2	200.4	109.1	108.1
1917	168.3	180.4	162.8	181.8	172.3	171.9	165.9	155.6	205.7	131.8	131.1
1918	188.1	207.0	185.5	184.6	239.4	178.1	150.3	173.9	227.3	165.7	144.4
1919	198.6	220.4	201.7	255.7	236.1	170.1	144.2	203.9	195.8	188.1	149.4
1920	221.2	210.8	214.0	251.5	287.6	267.0	164.5	264.7	205.4	251.9	179.9
1921	139.8	123.6	141.1	160.4	164.9	157.9	129.4	171.8	143.4	200.7	117.3
1922	138.5	131.2	136.4	153.6	174.9	175.0	113.3	171.6	125.1	183.8	99.7
1923	144.1	137.9	144.4	153.0	194.2	168.7	120.4	191.7	126.1	193.4	106.1
1924	140.5	139.9	141.7	148.9	186.2	150.1	117.1	180.4	123.3	186.3	102.6
1925	148.3	153.6	156.1	154.8	189.0	157.4	113.7	179.4	126.9	183.1	122.3
1926	143.3	139.9	155.8	146.8	174.5	163.1	110.1	176.4	124.7	177.6	107.4
1927	136.7	139.0	150.3	158.4	167.0	141.1	108.1	164.6	120.4	174.4	96.6
1928	140.0	148.1	157.3	178.7	168.1	135.1	109.9	165.3	119.1	173.0	89.2

Index numbers of wholesale prices, by major commodity groups—Continued
(1913=100)

Year or month	All commodities	Farm products	Foods	Hides and leather products	Textile products	Fuel and lighting	Metals and metal products	Building products	Chemicals and drugs	House furnishing goods	Miscellaneous
1928											
January	138.0	148.4	153.4	177.7	168.8	131.8	108.0	160.1	120.1	175.1	95.6
February	138.1	146.2	153.7	182.2	168.6	132.5	108.3	160.5	119.5	174.8	93.8
March	137.5	144.8	152.6	182.1	168.4	131.8	108.4	160.5	119.2	174.6	93.2
April	139.5	150.5	155.0	186.1	168.4	131.8	108.4	163.1	119.4	173.9	91.2
May	141.3	153.6	157.6	185.5	168.6	133.4	108.6	164.9	118.8	173.7	91.4
June	139.8	149.2	156.2	181.6	168.1	133.9	108.7	165.6	118.3	172.3	88.3
July	140.8	149.8	159.3	182.4	168.9	135.1	108.6	166.5	117.8	172.1	86.8
August	141.7	149.7	162.1	177.7	168.1	138.0	110.6	166.8	118.1	172.6	85.2
September	143.4	152.2	166.5	177.2	166.8	138.8	110.7	167.0	118.6	172.6	85.6
October	140.1	144.8	159.3	172.5	167.7	138.5	111.2	167.5	119.2	171.4	86.3
November	138.5	142.1	155.9	169.6	167.7	137.7	112.0	169.3	119.7	171.2	85.9
December	138.5	144.9	162.6	169.9	167.7	136.2	113.3	170.7	119.8	171.2	86.0
1929											
January	139.3	148.1	153.9	166.8	168.2	134.6	114.1	170.4	119.6	171.6	86.5
February	138.5	147.4	152.8	160.1	167.7	132.6	115.0	172.0	119.8	171.6	86.4
March	139.7	149.8	152.8	159.0	167.7	131.5	117.2	172.5	119.2	171.4	85.9
April	138.7	146.7	152.2	158.4	166.7	131.5	117.2	172.7	118.3	171.8	85.1

Amendment intended to be proposed by Mr. PITTMAN to the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes, viz: At the proper place insert three additional paragraphs, as follows, to wit:

"PAR. — Silver-bearing ores and mattes of all kinds, 30 cents per ounce on the silver contained therein: *Provided*, That on all importations of silver-bearing ores and mattes of all kinds the duties shall be estimated at the port of entry and a bond given in double the amount of such estimated duties for the transportation of the ores or mattes by common carriers bonded for the transportation of appraised or unappraised merchandise to properly equipped sampling or smelting establishments, whether designated as bonded warehouses or otherwise. On the arrival of the ores or mattes at such establishments they shall be sampled according to commercial methods under the supervision of Government officers, who shall be stationed at such establishments, and who shall submit the samples thus obtained to a Government assayer, designated by the Secretary of the Treasury, who shall make a proper assay of the sample and report the result to the proper customs officers, and the import entries shall be liquidated thereon. And the Secretary of the Treasury is authorized to make all necessary regulations to enforce the provisions of this paragraph.

"PAR. — Silver bullion or base bullion, silver dross, reclaimed silver, scrap silver, all alloys or combinations of silver not specially provided for, 30 cents per ounce on the silver contained therein.

"PAR. — Silver-bearing ores, mattes, base bullion, silver dross, reclaimed silver, scrap silver, and all alloys or combinations of silver imported into the United States for the purpose of processing or refining for export to a foreign country and not for use, sale, or disposition within the United States or any of its possessions, may be imported for such purpose free of duty upon the execution of a bond given in double the amount of the estimated duties that would be charged upon such silver contents so imported if for use, sale, or disposition in the United States, conditioned that such silver contents will not be used, sold, or otherwise disposed of in the United States prior to export therefrom, and upon further compliance with such regulations and guaranties as the Secretary of the Treasury may by regulations require.

JEFFERSON DINNER ADDRESSES

Mr. TYDINGS. Mr. President, I ask unanimous consent to have printed in the RECORD the addresses made last night before the Jefferson Association of Washington.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The addresses are as follows:

SPEECH OF JOHN J. RASKOB, CHAIRMAN OF THE DEMOCRATIC NATIONAL COMMITTEE, AT A DINNER GIVEN BY THE JEFFERSON ASSOCIATION OF THE DISTRICT OF COLUMBIA IN HONOR OF JOUETT SHOUSE, CHAIRMAN OF THE EXECUTIVE COMMITTEE, ON MONDAY NIGHT, JUNE 10, 1929

Mr. Chairman and friends, first, let me say that nothing more enheartening could happen to those of us engaged in building the Democratic Party into a strong, virile national organization than your presence here to-night as guests of the Jefferson Democratic Association of Washington, to honor Jouett Shouse.

A great part of the press, which is largely Republican, would make it appear that the Democratic Party is dead. Such is far from the truth. The amazing thing is that with merely a makeshift national organization, we should have accomplished so much. True, the number of votes polled in the Electoral College was relatively small, but no one appreciates better than the Republican organization the fact that this was due to issues injected into the campaign which should have no part

in our political life. To a man trained in business, the Democratic Party's lack of organization for conducting a national campaign is appalling. When Mr. Will Hays was elected chairman of the Republican National Committee, he immediately started to build a strong national organization, and worked incessantly to this end. The Republican Party to-day is profiting from the results of his accomplishments. In the last election the Democratic Party polled upward of 15,000,000 votes against about 21,000,000 polled by the Republicans. This is a difference of 6,000,000 votes, and means that had we had a national organization functioning over the previous four years, we would only have had to persuade 3,000,000 out of over 36,000,000 voters to believe in the principles of our great party in order to have secured a majority of the popular vote. It is also true that had the Democratic Party been organized in a manner that could have changed the votes of about 450,000 people, properly located, it would have carried the Electoral College for the Democratic ticket. I cite these figures for no purpose other than to demonstrate the need and power of organization, as that is the job we must address ourselves to now. It is not an intricate job, but it is one that requires strenuous, continuous effort and a tremendous amount of real hard work; it involves securing what you might call Democratic counselors in every one of the 150,000 election districts in the United States, through which Democratic principles may be taught to the citizens of our country. This is no mean task. It involves the creation of a money-raising organization that will result in a natural flow of funds in relatively small amounts from the citizens of the country who will contribute because of their belief in the need of two strong parties to insure a continuation of success in our form of government. Our deficit has been reduced from upward of \$1,550,000 to less than \$500,000, and with the promises and pledges in hand, I confidently expect a further reduction to under \$350,000 during the current month. This \$350,000, together with an additional \$250,000 to cover expenses of building and conducting a national organization, we contemplate raising through allotting this amount to the States, and if each member of the national committee and each State chairman will do his bit, this means that an average of only about \$4 per election district will be needed to free the party entirely of debt and give it a fund of \$250,000 with which to operate.

So much for finances and the past.

Now, let us look to the future. The Democratic Party believes in those principles of freedom and liberty which the founders of our Government endeavored to guarantee to posterity when they framed and signed the Constitution of the United States. In this dollar age, in which the present generations are living, so much importance has been attached to the matter of acquiring wealth and success industrially that our people seem to be losing, in part at least, the really fine spirit of patriotism enjoyed by our forefathers, and when we talk of State rights, of which Jefferson was ever a strong supporter and defender, there are countless thousands of our citizens, both men and women under 30 years of age, who have little, if any, understanding of what we are talking about. In my opinion the continuation of the tendency of the Republican Party to centralize greater and greater powers in our Federal Government in Washington, instead of building each of our 48 States into strong sovereignties, is bound to result in a power so colossal as to be unwieldy and incapable of administration. The lack of respect for such a government and the tyranny under which our people will have to live in consequence thereof may well result in a revolution which will divide this country into two or three republics and our posterity will then suffer the ills which the countries of Europe have suffered through jealousies, lack of trust, standing armies, etc., for countless generations.

As a result of the freedom secured for us by our forefathers through declaring their independence from living in tyranny through shedding

their blood in the Revolutionary War, and through setting up a new government, the people of the United States have enjoyed life, liberty, and the pursuit of happiness to a degree unheard of in the history of the world. But we have reached the crossroads, and, in my opinion, there has never been a time in the history of our country when the States and the Nation more needed the unselfish, intelligent thought and interest of its citizens than now. To awaken this interest and educate our people to the dangers of losing our freedom and liberty is the job of the Democratic Party. No finer example of patriotism and unselfish devotion to a cause can be cited than the life of Jouett Shouse and the great thing he has done in coming down here to Washington and agreeing to devote his entire time and energies to the building of that kind of organization necessary to protect and preserve our party and thus preserve our Government and the liberties and freedom which it guarantees.

SPEECH OF JOUETT SHOUSE, CHAIRMAN OF THE EXECUTIVE COMMITTEE OF THE DEMOCRATIC NATIONAL COMMITTEE, AT DINNER GIVEN IN HIS HONOR BY THE JEFFERSON DEMOCRATIC ASSOCIATION OF THE DISTRICT OF COLUMBIA THE NIGHT OF JUNE 10, 1929

The Jefferson Democratic Association is well named. One hundred and thirty years ago the Democratic Party was organized by the Sage of Monticello, because there was obvious need for such a party. During its long and honorable existence it has fulfilled the useful purposes responsible for its creation. It has lived because it has fought a good fight, because it has been the friend of the common man, because it has voiced the aspirations of the great, struggling, inarticulate masses of humanity. It will continue to live, and never has there been greater need for it to exercise a controlling influence in the affairs of our Government than there is to-day. Never has there been greater need for the country to get back to the teachings and the philosophy of the immortal Jefferson.

Therefore, Mr. Chairman, it is a source of gratification that the first public address made by me as chairman of the executive committee of the Democratic National Committee is under the auspices of the Jefferson Democratic Association of the District of Columbia. I deeply appreciate the spirit in which other Democratic organizations of the District have joined in making this dinner a success. If we may depend upon your help and your assistance as fellow Democrats during the next three years it will greatly strengthen us in what we are trying to do.

At the outset permit me to say that the ambitious plan which has been undertaken here was conceived by our national chairman, John J. Raskob. Confronted with a deficit of over a million and a half dollars at the close of the last campaign, Mr. Raskob went quietly to work to pay the obligations which the national organization had assumed. So successful have been his efforts, so remarkable the energy and industry with which he has faced the task, that over \$1,000,000 of that deficit has now been wiped out. Some weeks ago he conceived the idea that important organization work preparatory to the congressional elections of 1930 and the presidential election of 1932 should be undertaken at this time. The plan was submitted to a number of prominent Democrats in Congress and elsewhere, all of whom enthusiastically indorsed it. It was due to the insistence of Mr. Raskob that after great hesitation I consented to give up virtually my private affairs for the next three years and come to Washington as chairman of the executive committee to take charge of the headquarters established here.

In years past the activities of the Democratic national organization have been largely confined to a period of approximately three months preceding a presidential election. We have had many able and well-intentioned men at the head of our committee. Most of them have earnestly desired to try to carry on through the off seasons the work of necessary organization. They have been hampered by lack of funds, by debts hanging over from past campaigns, and by other circumstances and conditions which have made it practically, if not entirely, impossible to attempt such work on an effective scale. No party can hope, with any degree of certainty, to win elections through mere spasmodic efforts. A political party is in many regards like a business organization, and unless it is run on business principles its chance of success is greatly lessened.

What we propose to set up here is a businesslike national headquarters that will function continuously, day in and day out, week in and week out, month in and month out, to lay the groundwork in every proper way for the building up of an organization of the Democratic Party, for the education of the people as to what is taking place in the conduct of their Government by the party now in power, and for an earnest effort to win them to the support of our party, first in the election of the next Congress and later in the election of the next President of the United States. With this in view, three major activities will be undertaken—organization, publicity, and research. The publicity and research divisions can take care of themselves, but obviously the division of organization can not properly function, and, therefore, the work of the headquarters be made a success, unless we have the cooperation, the helpful counsel, the constructive aid of Democrats everywhere, and particularly of Democratic leaders in every State and every congres-

sional district of the country. No political organization can carry on successfully merely at the top. There must be an adequate national plan. But such plan can not be put into practical effect unless the State organizations will lend the fullest and the most hearty assistance. In turn, the State must look to the county, and the county to the precinct, so that, after all, in building up an effective Democratic machine, if we succeed in doing that, it must reach down to the very precinct unit, involving the support of the precinct committeemen and committeewomen, to enable it properly to carry on. Willingness on the part of the necessary number in the smallest unit to work coordinately and under direction will determine the success or failure of the enterprise.

I am approaching the large task before me with a full realization of its difficulties and with real humility of spirit. Neither I nor any other man alone can accomplish the purpose which is in mind. I shall need, and I earnestly desire, suggestions and advice and help from Democrats and forward-looking men and women everywhere. And only as such help is given the possibility of making the national headquarters successful will be determined.

May I make it very plain to you that I have no exaggerated notion of my province and my responsibilities? It is not for me to determine party policies. The chosen congressional spokesmen of constituencies of the various States and the various subdivisions of States must do that as issues arise. It is, however, entirely proper for me to make suggestions that may seem helpful and to do anything in my power to bring Democrats into harmonious accord. By their willingness to work together, and only thereby, whether in the Congress or in the States, can an effective and appealing party policy be formulated.

In view of this plan and its practical value, I should be utterly lacking in appreciation if I did not pause here to pay tribute to the man who conceived it. During the campaign last fall and in frequent contacts since I have had the opportunity to get to know John Raskob well. From that knowledge I can state positively that without ulterior motive, without selfish design or personal ambition, without reference to the candidacy of any man for any office, but solely with a desire to be of service to his country through the instrumentality of the Democratic Party, he has put into effect the idea of a permanent, working, constructive organization. There is no office that he would accept. There is nothing that he asks of life that he has not attained. His whole thought and his whole being are dedicated in a most definite way to the service of his fellow men, and the only reward that he would have is the knowledge of that service being effective.

There is one thing with which the Washington headquarters will refuse absolutely to have any concern. That is the question of candidacies. It is our duty and our responsibility and our effort to try to build up an effective fighting force to turn over to those who will direct the next campaign. The most unwise, the most destructive action that could be taken would be to lend, even to the slightest degree, any part of the influence or help or encouragement of national headquarters to the candidacy of any of the various men who may aspire to the next presidential nomination. I can not too definitely impress upon you my earnestness in making this statement. I know that Mr. Raskob feels exactly as do I, and I call upon you and upon Democrats everywhere not to embarrass the national headquarters in the constructive work which it will attempt to do by trying even remotely to relate it or its efforts to the plan for a nomination, no matter who may be the man concerned or how outstanding his qualifications. If we have an effective, militant organization of the party forces ready to be turned over at the time the next candidate is nominated, his possibilities of success will be vastly enhanced. To that, and to that alone, our efforts will be dedicated. This is the plan of the national chairman; this is the plan of the executive chairman.

In the presidential campaign of 1920 we heard much of the slogan "A return to normalcy." Just what "normalcy" means I have never been able to discover, but I well know what the American people got when they placed in power the party that advocated this return. From the heights of idealism down to normalcy, and we had the oil scandals of Fall and Doheny and Sinclair; we had the rape of the Veterans' Bureau by Forbes; we had bribery in the Alien Property Custodian's office; we had the debauchery of high officials in the Government of the United States which reached into the very Cabinet of the President itself.

In 1924 the slogan was "A return to silence." What did that "silence" produce? Certainly during the ensuing four years the masses of the people got nothing. Big business got everything.

I have no desire to attempt to prejudge the present administration. If in its policies and program, if in its legislative measures things are accomplished for the benefit of the American people, I shall warmly commend them. Pursuant to an election promise, the President called an extraordinary session of Congress which was designed, according to his explicit statement, to give relief to the farmer. Two avenues were to be used for this purpose: First, constructive measures to deal with the marketing of crops, and, second, a limited revision of certain tariff schedules having direct bearing upon agriculture. There is now pending in conference a definite administration farm relief bill. It will probably become a law within the next few days. I for one shall await

its operation before attempting to criticize it. But let the record be clear—it definitely represents the ideas and the plans of the President. It is enacted by a Congress in each House of which the Republican Party has a large majority. It is in its very essence an administration measure. If it meets the requirements of the farmers' situation, the administration will deserve the credit. If it fails, the administration must accept the responsibility.

As part of the administration's special program a tariff bill was recently passed by the House of Representatives under a gag rule. Remember that the Republican Party has a majority of more than a hundred in the House of Representatives where, under the Constitution, all revenue legislation must originate. Mind you, Congress was supposed to write a tariff bill for the benefit of the farmer with revision of only a limited number of schedules. Instead of that the House of Representatives, with its overwhelming Republican majority, under the direction of Republican leadership, has passed the most reprehensible tariff bill in the history of the country. What will be the final form of that bill remains to be seen. If it is corrected, as I trust it may be, that correction must be at the hands of the Democrats of the Senate of the United States, with the assistance of Progressives from the West.

I congratulate the Democrats of the Senate upon the constructive steps they have already taken to amend the House bill, and I beg, if I may, to voice the earnest hope that they will substitute for the multifarious improprieties of the pending Republican bill schedules which will give proper measure of protection to the farmers at the same time safeguarding the consumers, and will not permit the measure to continue merely a grab bag into which special interests may thrust their greedy fists and pull out what they please at the expense of the great mass of the people. In the fight to correct this threatened legislative evil the Democrats have taken the lead and they are having the support of a great mass of independent newspapers and even many Republican papers. These I commend for their patriotism. If this tariff bill is properly modified, let the country remember to whom the credit is due. Let the country not overlook the fact that without any suggestion of change, although its intolerable schedules had been widely discussed in the press of all sections, the President allowed the overwhelming majority of his party in the House of Representatives to do its part to write this infamous measure into law. If the President wanted the bill changed, he had ample opportunity to make the attempt to have it changed while it was under consideration by the House. If, at this late date, he should make some veiled suggestions of the wisdom of change, is it not fair to think that they may be dictated by a policy of cautious expediency as a result of the widespread revolt?

We hear two vastly different assertions from Republican leaders. One group claims that the Democratic Party is a free-trade party. The other group claims that there is no difference between the Democratic tariff policy and the Republican tariff policy. Both statements are equally false. The Democratic Party recognizes that the capital invested in American industry should be properly safeguarded. It recognizes that the wage scale of the American workman, for which the Democratic administration of Woodrow Wilson is primarily responsible, must be and shall be maintained. Therefore the Democratic Party stands for a necessary tariff. But the Democratic Party is definitely and unalterably opposed to using the tariff as a smoke screen to allow the favored contributors to Republican campaign funds to rob the masses of the American people under the guise of protection.

In the actions of the Republican Congress in the special session now convened the Democratic Party has an issue of an importance to the American people which can not be exaggerated. Let us, my fellow Democrats, take full advantage of it. Let us agree upon a program and carry through that program. Let us offer constructive measures in place of the selfish measures which the opposition is offering. If we adhere to such a policy we shall stand an excellent chance to win control of the Congress next year, and, should that be done, as certainly as time goes on we shall win the Presidency in 1932.

It is proper at this time, and at all times, for Democrats to pay tribute to the glorious past history of the party. The genius of Thomas Jefferson, author of the Declaration of Independence; the wisdom of James Madison, father of the Constitution; the courage of Andrew Jackson, militant leader of the people in both war and peace; the sturdy honesty of Grover Cleveland; and the practical idealism of Woodrow Wilson have left us a heritage which we have a right to acclaim. God grant that we of this generation may dedicate ourselves to the service of our country with the same devotion as did these great figures of the past.

SPEECH OF REPRESENTATIVE JOSEPH W. BYRNS BEFORE THE JEFFERSON ASSOCIATION OF THE DISTRICT OF COLUMBIA

Mr. Chairman, ladies, and gentlemen, Democrats were greatly gratified when it was announced by the able chairman of our National Committee that it was his intention to maintain permanent headquarters in Washington. The greatest handicap under which the Democratic Party has labored in past years is either the lack of information or the actual misinformation of the people concerning the conduct of their public affairs.

The opposition party—the party of privilege, which, as a distinguished Democratic nominee for President said a few years ago, always has something to sell to those whom it serves—has controlled and continues to control most of the avenues of publicity, and hence the accomplishments of the Democratic Party under the leadership of that great Democrat, Woodrow Wilson, and likewise those things for which it has stood and fought during eight years of Republican misrule have never been fully understood and appreciated. And so I am sure that I speak the sentiment of Democrats generally when I say to Mr. Raskob that he has rendered a real service to the cause of democracy in the action which he has taken. It has given to the Democrats of the Nation not only a hope but a promise of success in the elections to come. And need I say to you who know him that the chairman displayed that excellent judgment and wise discrimination that have characterized him in the conduct of his private affairs when he chose for the head and active leadership in the headquarters which he has established the honored guest of the evening—the Hon. J. J. Shouse, A product and citizen of the South and the great Middle West, which he at one time ably represented in Congress; possessing an intimate knowledge of the great and constructive work of Woodrow Wilson's administration, of which he was an important part; thoroughly familiar with the history of our party and imbued with an earnest belief in its underlying principles, his appointment was an ideal one, and we rejoice in the selection in the confident belief that active control has been placed in the hands of the right man, and we pledge him our earnest cooperation in the important work before him.

No one can be wholly satisfied with conditions as they exist in our National Government to-day. Congress was called into extra session, we were told, because agriculture needed immediate relief. It was declared that a farm relief bill would be passed and that there would be a limited revision of the tariff with the primary, if not the only, purpose of relieving agriculture from its distressed condition. But it appears that this was made the excuse for bringing about a general revision of the tariff upward on commodities already highly protected and in which special interests are deeply concerned. The House has passed a tariff bill imposing higher tariff rates than were ever carried in any bill in the entire history of the country. It raised rates on certain products of industry which will cost the consumers of these products hundreds of millions of dollars, and the increased duty on sugar will cost the homes of the country three hundred and forty millions a year. Instead of carrying out the declared purpose of equalizing the tariff benefits on agricultural and industrial products, it has increased the difference by raising the rates on industry over 1 per cent more than it did on agriculture.

Under its provisions, the constitutional prerogative of Congress to levy taxes are surrendered to the President by giving him the authority to change the tariff rates to the extent of 50 per cent. We have proceeded entirely too far in the centralization of power here in Washington, to such an extent as to threaten the foundation of our institutions, and now Congress proposes to give into the hands of the President the most important privilege of the people—the power to impose and levy taxes.

The South and the country expected that the distinguished engineer in the White House would have some plan for the prompt utilization for the Government's enormous investment at Muscle Shoals which a Republican administration has permitted to lie practically idle for 10 years. But we are told that this is not to be considered at this session, although there is ample time to do so.

The agricultural West and the country expected that some concrete plan for farm relief would be proposed. But if Mr. Hoover had a plan it was never submitted and Congress was left to work out its own plan. A bill is about to be passed which has had the support of members of both parties in the hope that it will be of some relief, but many farm organizations, as well as many Members of Congress, have declared that it does not go far enough and will not afford the fullest measure of relief that is possible.

And now with the tariff bill pending in the Senate, and with business in suspense on account of the uncertainty; with agriculture still suffering, the Republican leaders are planning for Congress to take a recess of several months with the tasks for which it was actually called uncompleted. An unusual and really distressing situation confronts the country. A Republican President, a Republican Senate, and a Republican House do not seem to be able to agree upon anything. Neither is willing to trust the judgment of the other in solving the problems confronting them. Leadership no longer exists. They are floundering in a sea of doubt and uncertainty. What can we expect for the future prosperity of our country under such circumstances? They do not know what to do or which way to turn and now they propose to go home for a season with the Micawber-like hope that in the meantime some idea will suggest itself or some one may think of a solution for the problems which have arisen under Republican rule to plague the body politic.

It is surprising that evidences of the dissatisfaction of the people have been clearly manifested in the only two elections which have occurred since Mr. Hoover was inaugurated. One in Kentucky, where a Republican majority of 4,000 last November was turned into a Demo-

cratic majority of over 1,000 a few days ago, and the other in a Pennsylvania district, which is over 2 to 1 Republican, but where the Democratic candidate was defeated on the face of returns by only 1,000 votes out of over 60,000 cast, and where a contest is to be instituted because of alleged frauds and the corrupt use of large sums by the Republican machine—a practice which seems to have become a habit in Republican elections in Pennsylvania.

The Democratic Party, although in the minority in both branches of Congress, has an opportunity to render a splendid service to the country, and if it renders that service faithfully and intelligently it is certain to be swept into power by a people who are already disappointed by the procrastination, the failure, and the uncertainty of the present administration and Congress. Let us not waste our energy in wrangling over issues which do not involve the fundamental principles of our party. Let us rather exert ourselves to create a constructive program in the interest of the prosperity of the country and stand together on those principles in which we all believe and which have preserved our party during all the years of our Republic. Why bother now about who will be the candidate and what will be the issues three years hence? No one can say three years in advance who our candidate will be or what the issues will be in the next campaign. Our leader in the last campaign has recently declared that the issues will be made by the Democrats who are in Congress. The Democracy will choose its candidate when the time comes.

Many were led away in the last campaign on issues which had no proper place in that contest, but which were magnified by a subtle opposition and an unfriendly press. We have had and still have lines of cleavage in our party, but true followers of Thomas Jefferson should forget these differences in the fight against the common enemy. The Democratic Party is big enough; its record is glorious enough to embrace among its following everyone who loves his Government and who believes that it should be administered for the benefit of all the people and not alone for the favored few. To everyone who believes in popular government; to everyone who believes in its orderly processes and that all laws on the statute books should be enforced; to everyone who is opposed to the further centralization of power at Washington; to everyone who believes as did Jefferson, Jackson, Cleveland, and Wilson that the benefits of government should be impartially bestowed and that one class of our citizenship should not be preferred over another the call is insistent to lay aside any prejudices we may have and forget any differences which may have swayed us in the past. The restoration of Democratic policies and principles in our Government is too important to be jeopardized by a division in our ranks as we stand facing the common foe. If we resolve to follow this course, then we may confidently look forward to the triumphant success of a united and militant democracy under the leadership of the honor guest of the evening.

LAYING OF THE DEPARTMENT OF COMMERCE BUILDING CORNER STONE

Mr. ODDIE. Mr. President, I ask that there be printed in the RECORD a statement from the Washington Star of last evening by Mr. Frederic William Wile on the laying of the corner stone of the Department of Commerce Building yesterday, and some very splendid comments on our President and the important part he has played in the building of the Department of Commerce to its present state and in his successful efforts in the planning of this building.

The VICE PRESIDENT. Without objection, it is so ordered. The article is as follows:

[From the Washington Star, Monday, June 10, 1929]

WASHINGTON OBSERVATIONS

By Frederic William Wile

That mammoth pile which some day will surmount the corner stone which President Hoover is laying this afternoon will be called the Department of Commerce, but it's bound to be known in future as the Hoover monument. At least no one could wish a more impressive memento of his fame than such a building. Close by there looms high above the glorious treetops of the Mall the graceful shaft reared to the memory of our other engineer President. The Washington Monument and the Hoover departmental palace are thus appropriate neighbors. In its magnificent dimensions the building is a worthy companion of the Monument. Its length of one thousand and odd feet is nearly twice the height of the world's most beautiful obelisk. Within the yawning space in which the Commerce Building's foundations are being laid the Woolworth Building, tower and all, could be deposited, with plenty of room alongside for the 44-story Equitable Building, in lower Broadway, and the new Madison Square Garden. The Yale bowl could be swallowed up, and so could the Yankee Stadium.

Uncle Sam's most colossal Government building is the product of Herbert Hoover's vision. It was planned under his personal direction. Hoover started out eight years ago to make the Department of Commerce the biggest and busiest branch of the whole executive system, and he did it. In March, 1921, the number of daily services rendered to American business averaged about 700. At present these run to some 11,000 every working day. Of course, no other unit of the Government

has undergone so fabulous an expansion of its activities. That's why it was found necessary to put up a 1,000 by 400 foot 7-story and basement structure to house a working staff of 5,000 men and women. Some of the dimensional details of the colossus are staggering. It'll have a cafeteria capable of serving 3,000 persons at one time. Several courtyards within the building will be as wide as Pennsylvania Avenue. The Bureau of Fisheries (always one of Hoover's pets) will install the biggest aquarium in the world, consisting of 40 or 50 specially designed huge tanks, filled with almost everything that swims and has fins. Such is the house that Herbert built.

MUNICIPALLY OWNED POWER IN THE STATE OF WASHINGTON

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the initiative bill which has been proposed by the National Grange of the State of Washington to be voted on at a referendum. This bill is simply in the nature of an enabling act to give the people of the country districts of the State the right to vote to have municipally owned power by voting on the question of establishing public-utility districts in the different counties. It will simply be a question of whether or not the country people of the State have sense enough to decide by their votes whether or not they want to supply themselves with municipally owned power.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

An act relating to and authorizing the establishment of public-utility districts and the consolidation thereof and annexation thereto; providing for the construction, purchase, condemnation, and purchase, acquisition, maintenance, conducting, operation, development, and regulation by such districts of certain kinds of public utilities; providing methods of payment therefor; and providing for the creation of local assessment districts by, and defining, prescribing, and regulating the powers, duties, and government of such utility districts

Be it enacted by the Legislature of the State of Washington:

SECTION 1. The purpose of this act is to authorize the establishment of public-utility districts, to conserve the water and power resources of the State of Washington for the benefit of the people thereof, and to supply public-utility service, including water and electricity for all uses.

SEC. 2. Municipal corporations, to be known as public-utility districts, are hereby authorized for the purposes of this act and may be established within the limits of the State of Washington as provided herein.

SEC. 3. At any general election the board of county commissioners of any county in this State may, or on petition of 10 per cent of the qualified electors of such county, based on the total vote cast in the last general county election, shall, by resolution, submit to the voters of such county the proposition of creating a public-utility district, which shall be coextensive with the limits of such county as now or hereafter established. Such petition shall be filed with the county auditor, who shall within 15 days examine the signatures thereof and certify to the sufficiency or insufficiency thereof, and for such purpose the county auditor shall have access to all registration books in the possession of election officers within such county. If such petition be found to be insufficient, it shall be returned to the persons filing the same, who may amend or add names thereto for 10 days, when the same shall be returned to the county auditor, who shall have an additional 15 days to examine the same and attach his certificate thereto. No person having signed such petition shall be allowed to withdraw his name therefrom after the filing of the same with the county auditor. Whenever such petition shall be certified to as sufficient, the county auditor shall forthwith transmit the same, together with his certificate of sufficiency attached thereto, to the board of county commissioners, who shall thereupon immediately transmit such proposition to the election board of such county, and it shall be the duty of such county election board to submit such proposition to the voters at the next general election. The notice of the election shall state the boundaries of the proposed public-utility district and the object of such election, and shall in other respects conform to the requirements of the general laws of the State of Washington governing the time and manner of holding elections. In submitting the said question to the voters for their approval or rejection the proposition shall be expressed on said ballot substantially in the following terms:

Public-utility district No. — YES ☐
Public-utility district No. — NO ☐

Any petition for the formation of a public-utility district may describe a less area than the entire county in which the petition is filed, the boundaries of which shall follow the then existing precinct boundaries and not divide any voting precinct; and in the event that such a petition is filed, the board of county commissioners shall fix a date for a hearing on such petition, and shall publish the petition, without the signatures thereto appended, for two weeks prior to the date of the hearing, together with a notice stating the time of the meeting when such petition will be heard. Such publication, and all other publications required by this act, shall be in a newspaper published in the proposed or established public-utility district, or, if there be no such newspaper, then in a newspaper published in the county in which such district is situated and of general

circulation in such county. The hearing on such petition may be adjourned from time to time, not exceeding four weeks in all. If upon the final hearing the board of county commissioners shall find that any lands have been unjustly or improperly included within the proposed public-utility district and will not be benefited by inclusion therein, the said board shall change and fix the boundary lines in such manner as it shall deem reasonable and just and conducive to the public welfare and convenience, and make and enter an order establishing and defining the boundary lines of the proposed public-utility district: *Provided*, That no lands shall be included within the boundaries so fixed lying outside the boundaries described in the petition, except upon the written request of the owners of such lands. Thereafter the same procedure shall be followed as prescribed in this act for the formation of a public-utility district including an entire county, except that the petition and election shall be confined solely to the lesser public-utility district.

Sec. 4. Within five days after such election the election board of the county shall canvass the returns; and if at such election a majority of the voters voting upon such proposition shall vote in favor of the formation of such district, the election board shall so declare in its canvass of the returns of such election, and such public-utility district shall then be and become a municipal corporation of the State of Washington, and the name of such public-utility district shall be Public Utility District No. _____, of _____ County. The powers of the public-utility district shall be exercised through a commission consisting of three members, one from each of the three county commissioner districts of the county in which the public-utility district is located, when the public utility district is coextensive with the limits of such county. When the public-utility district comprises only a portion of the county, three commissioner districts, numbered consecutively, having approximately equal population and boundaries, following ward and precinct lines as far as practicable, shall be described in the petition for the formation of the public-utility district, and one commissioner shall be elected from each of said commissioner districts. No person shall be eligible to hold the office of public-utility district commissioner unless he is a qualified voter and a freeholder within such public-utility district, and is and has been a resident for a period of three years, except as hereinafter provided, of the commissioner district from which he is elected.

Public-utility district commissioners shall hold office for the term of three years, and until their respective successors are elected and qualified, each term to commence on the fourth Tuesday in March in each year in class A counties and counties of the first class, and in all other counties on the second Monday in January in each year following the election thereto. At the same election at which the proposition is submitted to the voters as to whether a public-utility district shall be formed three commissioners shall be elected, to hold office, respectively, for the term of one, two, and three years. All candidates shall be voted upon by the entire public-utility district, and the candidate residing in commissioner district No. 1 receiving the highest number of votes in the public-utility district shall hold office for the term of three years, and the candidate residing in commissioner district No. 2 receiving the highest number of votes in the public-utility district shall hold office for the term of two years, and the candidate residing in commissioner district No. 3 receiving the highest number of votes in the public-utility district shall hold office for the term of one year, each of said terms to date from the times specified in this section following the election, but also to include the period intervening between the election and the beginning of the regular terms specified in this section. All expenses of elections for the formation of such public-utility districts shall be paid by the county holding such election, and such expenditure is hereby declared to be for a county purpose, and the money paid out for such purpose shall be repaid to such county by the public-utility district, if formed. Nominations for public-utility district commissioners shall be by petition signed by 100 qualified electors of the public-utility district, to be filed in the office of the county auditor not more than 60 days and not less than 30 days prior to the day of such election: *Provided, however*, That in any public-utility district having a population of less than 4,000 such nominating petition shall be signed by a number of qualified electors equaling 10 per cent or more of the qualified electors of the public-utility district. A vacancy in the office of public-utility district commissioner shall occur by death, resignation, removal, conviction of a felony, non-attendance at meetings of the public-utility district commission for a period of 60 days, unless excused by the public-utility district commission, by any statutory disqualification, or by any permanent disability preventing the proper discharge of his duty. In the event of a vacancy in said office such vacancy shall be filled at the next general election, the vacancy in the interim to be filled by appointment by the remaining commissioners. If there should be at the same time such number of vacancies that there are not in office a majority of the full number of commissioners fixed by law, a special election shall be called by the county election board upon the request of the remainder, or that failing, by the county election board, such election to be held not more than 40 days after the occurring of such vacancies.

A majority of the persons holding the office of public-utility district commissioner at any time shall constitute a quorum of the commission for the transaction of business, and the concurrence of a majority of the persons holding such office at the time shall be necessary and shall be sufficient for the passage of any resolution, but no business shall be transacted unless there are in office at least a majority of the full number of commissioners fixed by law.

The boundaries of the commissioners districts shall not be changed oftener than once in four years, and only when all members of the commission are present: *Provided*, That any proposed change therein must be made by resolution and notice of the time of a public hearing thereon shall be published for two weeks prior thereto: *And provided further*, That upon a referendum petition signed by 6 per cent of the qualified voters of the public-utility district being filed with the clerk, the commission shall submit such proposed change to the voters of the public-utility district for their approval or rejection. The checking of said petition as to its sufficiency or insufficiency shall be governed by the provisions in this act relating thereto.

Sec. 5. The term "general election" as used in this act shall be held and construed to mean biennial general elections at which State and county officers are elected, and also public-utility district elections for the election of commissioners. Public-utility district elections for the election of commissioners held in Class A counties and counties of the first class shall be held on the second Tuesday in March in each year, and in all other counties on the first Saturday in December in each year. The election board of the county shall give notice of all elections held under the provisions of this act for the time and in the manner and form provided by law for city, school district, and port district elections. Whenever in the judgment of the election board of the county an emergency exists, and such board is requested so to do by a resolution of the public-utility district commission, it may call a special election at any time in such public-utility district, and at any such special election said board may combine, unite, or divide precincts for the purpose of holding such special election, and every such special election so called shall be conducted and notice thereof given in the manner provided by law.

The chairman of the board of county commissioners, the county auditor, and the prosecuting attorney of the county in which the election is held shall constitute an election board for all elections held under the provisions of this act; and it shall be the duty of such board to provide polling places for holding elections under this act, to appoint the election officers, to provide their compensation, to provide ballot boxes, and ballots or voting machines, poll books, and tally sheets, and deliver them to the election officers at the polling places, to publish and post notices of calling such elections in the manner provided by law, and to apportion to the public-utility district its share of the expense of holding such election.

The election officers appointed by the election board of the county shall conduct such elections and shall receive and deposit ballots cast thereat in a separate ballot box, and shall count said ballots and make returns thereof to the election board of the county, which board shall constitute a canvassing board for all elections held under the provisions of this act. The manner of conducting and voting at elections under this act, opening and closing of polls, keeping of poll lists, canvassing the votes, declaring the result, and certifying the returns shall be the same as provided by the general election laws governing the election of State and county officers, except as otherwise provided in this act.

The public-utility district commission shall certify to the election board a list of offices to be filed at any election to be held under the provisions of this act, and such commission, if it desires to submit to the voters of such public-utility district any proposition for their approval or adoption, or rejection, at any election held under the provisions of this act, shall require the secretary of such commission to certify the same to the election board at the time and in the manner and form now provided by law for certifying propositions to said board by the governing boards of cities, towns, and port districts.

Sec. 6. All public-utility districts organized under the provisions of this act shall have power—

(a) To make a survey of hydroelectric power, irrigation, and domestic water supply resources within or without the district, and to compile comprehensive maps and plans showing the territory that can be most economically served by the various resources and utilities, the natural order in which they should be developed, and how they may be joined and coordinated to make a complete and systematic whole.

(b) To construct, condemn and purchase, purchase, acquire, lease, add to, maintain, operate, develop, and regulate all lands, property, property rights, water, water rights, dams, ditches, flumes, aqueducts, pipes and pipe lines, water power, leases, easements, rights of way, franchises, plants, plant facilities and systems for generating electric energy by water power, steam, or other methods, plant, plant facilities and systems for developing, conserving, and distributing water for domestic use and irrigation, buildings, structures, poles and pole lines, and cables and conduits and any and all other facilities, and to exercise the right of eminent domain to effectuate the foregoing pur-

poses or for the acquisition and damaging of the same or property of any kind appurtenant thereto, and for the purpose of acquiring the right to make physical connection with plants and plant facilities of any and all persons, corporations, and municipalities, and such right of eminent domain shall be exercised and instituted pursuant to resolution of the commission and conducted in the same manner and by the same procedure as is or may be provided by law for the exercise of the power of eminent domain by incorporated cities and towns of the State of Washington in the acquisition of like property and property rights. It shall be no defense to a condemnation proceeding hereunder that a portion of the electric current generated or sold by such public-utility district will be applied to private purposes provided the principal uses intended are public: *Provided*, That no public utility owned by a city or town shall be condemned hereunder, and none shall be purchased without submission of the question to the voters of the utility district. In any condemnation proceeding under this act the court shall submit to the jury the values placed upon such property by the county assessor or other taxing authority for taxation purposes, and in respect to property, plants, and facilities of persons and corporations using public highways for the furnishing of public service without franchises, shall consider in determining the value thereof the fact that such property, plants, and facilities are subject to be removed from such highways by reason of being so operated without such franchises.

(c) To construct, purchase, condemn and purchase, acquire, add to, maintain, conduct and operate water works and irrigation plants and systems, within or without its limits, for the purpose of furnishing such public-utility district, and the inhabitants thereof, and any other persons, including public and private corporations within or without its limits, with an ample supply of water for all uses and purposes, public and private, including water power, domestic use and irrigation, with full and exclusive authority to sell and regulate and control the use, distribution, and price thereof.

(d) To purchase, within or without its limits, electric current for sale and distribution, within or without its limits, and to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate works, plants, transmission and distribution lines, and facilities for generating electric current, operated either by water power, steam, or other methods, within or without its limits, for the purpose of furnishing said public-utility district, and the inhabitants thereof, and any other persons, including public and private corporations, within or without its limits, with electric current for all uses, with full and exclusive authority to sell and regulate and control the use, distribution, rates, service, charges, and price thereof, free from the jurisdiction and control of the director of public works, and division of public utilities, in all things, together with the right to purchase, handle, sell, or lease motors, lamps, transformers, and any and all other kinds of equipment and accessories of every nature and kind whatsoever necessary and convenient for the use, distribution, and sale thereof: *Provided*, That the commission shall not supply water to a privately owned utility for the production of electric energy, and may supply, directly or indirectly, to privately owned public utilities which sell electric energy or water to the public, any of the surplus electric energy or water under its control, and contracts therefor shall not extend over a longer period than three years: *Provided*, That it must at all times first make adequate provision for the needs of the district, both actual and prospective.

(e) And for the purposes aforesaid, it shall be lawful for any public-utility district so organized to take, condemn and purchase, purchase, and acquire any and all public and private property, franchises, and property rights, including State, county, and school lands, and property and littoral and water rights, for any of the purposes aforesaid, and for railroads, tunnels, pipe lines, aqueducts, transmission lines, and any and all other facilities necessary or convenient, and, in connection with the construction, maintenance, or operation of any such utility or utilities, to acquire by purchase or condemnation and purchase, the right to divert, take, retain and impound and use water from or in any lake or watercourse regardless of whether such lake or watercourse or the water therein be public or private, navigable or nonnavigable, or held, owned, or used by the State, or any subdivision thereof, or by any person or corporation for any public or private use, proprietary or governmental, or any underflowing water within the State; and such public-utility district is hereby authorized and empowered to erect and build, within or without its limits, dams or other works across any river or watercourse, or across or at the outlet of any lake, up to and above high-water mark; and, for the purpose of constructing or laying aqueducts or pipe lines, dams, or waterworks, or other necessary structures in storing, retaining, and distributing water as above provided, or for any of the purposes provided for by this act, such public-utility district shall have the right to occupy and use the beds and shores up to the high-water mark of any such lake, river, or watercourse and to acquire by purchase or by condemnation and purchase, or otherwise, any water, water rights, easements, or privileges named in this act or necessary for any of said purposes, and any such public-utility district shall have the right to acquire by purchase or condemnation and purchase, or otherwise, any lands, property, or

privileges necessary to be had to protect the water supply of such public-utility district from pollution: *Provided*, That should private property be necessary for any such purposes, or for storing water above high-water mark, such public-utility district may condemn and purchase or purchase and acquire such private property. Such public-utility district shall have power to build and maintain intertie lines connecting its power plant and distribution system with the power plant and distribution system owned by any other public-utility district, or municipal corporation, or to connect with the power plants and distribution systems owned by any municipal corporation in the district, and from any such intertie line to sell electric energy to any individual, or public-utility district, or any city or town, or other corporations, public or private, and, by means of transmission or pole lines, to conduct electric energy from the place of production to the point of distribution, and to construct and lay said aqueducts, pipe or pole lines, and transmission lines along and upon public highways, roads, and streets, and to condemn and purchase, purchase, or acquire lands, franchises, and rights of way necessary for the same.

(f) To contract indebtedness or borrow money for corporate purposes on the credit of the corporation or the revenues of the public utilities thereof, and to issue general obligation or utility bonds therefor, bearing interest at a rate not exceeding 6 per cent per annum, payable semiannually, said bonds not to be sold for less than par and accrued interest; to purchase with surplus funds local utility district bonds of districts created by the commission and sell the same, giving preference to residents of the district, and to create a revolving fund to insure the prompt payment of all local utility district bonds.

(g) To raise revenue by the levy of an annual tax on all taxable property within such public utility district not exceeding 2 mills in any one year, exclusive of interest and redemption for general obligation bonds. The commission shall prepare a proposed budget of the contemplated financial transactions for the ensuing year and file the same in the records of the commission on or before the first Monday in September. Notice of the filing of said proposed budget and the date and place of hearing on the same shall be published for at least two consecutive weeks in a newspaper printed and of general circulation in said county. On the first Monday in October the commission shall hold a public hearing on said proposed budget, at which any taxpayer may appear and be heard against the whole or any part of the proposed budget. Upon the conclusion of said hearing the commission shall, by resolution, adopt the budget as finally determined, and fix the final amount of expenditures for the ensuing year. Taxes levied by the commission shall be certified to and collected by the proper county officer of the county in which such public utility district is located in the same manner as is or may be provided by law for the certification and collection of port district taxes. The commission is authorized, prior to the receipt of taxes raised by levy, to borrow money or issue warrants of the district in anticipation of the revenue to be derived by such district from the levy of taxes for the purpose of such district, and such warrants shall be redeemed from the first money available from such taxes when collected, and such warrants shall not exceed the anticipated revenue of one year, and shall bear interest at a rate of not to exceed 6 per cent per annum.

(h) To enter into any contract with the United States Government, or any State, municipality, or other utility district, or any department of those governing bodies for carrying out any of the powers authorized by this act.

(i) To acquire by gift, devise, bequest, lease, or purchase real and personal property necessary or convenient for the purposes of the district or any local district therein.

(j) To make contracts, employ engineers, attorneys, and other technical or professional assistance; to print and publish information or literature and to do all other things necessary to carry out the provisions of this act.

The public-utility district commission shall appoint a manager, who shall be appointed for an indefinite time and be removable at the will of the commission. Appointments and removals shall be by resolution, introduced at a regular meeting and adopted at a subsequent regular meeting by a majority vote. He shall receive such salary as the commission shall fix by resolution.

The manager shall be the chief administrative officer of the public-utility district, and shall have control of administrative functions of the district, and shall be responsible to the commission for the efficient administration of all the affairs of the district placed in his charge. He shall be an experienced executive with administrative ability. In case of the absence or temporary disability of the manager, he shall, with the approval of the president of the commission, designate some competent person as acting manager.

The manager shall be entitled to attend all meetings of the commission and its committees, and to take part in the discussion of any matters pertaining to the duties of his department, but shall have no vote.

The public-utility district manager shall have power, and it shall be his duty:

To carry out the orders of the commission, and to see that all the laws of the State pertaining to matters within the functions of his department are duly enforced.

To keep the commission fully advised as to the financial condition and needs of the district. To prepare, each year, an estimate for the ensuing fiscal year of the probable expenses of his department, and to recommend to the commission what development work should be undertaken, and what extensions and additions, if any, should be made, during the ensuing fiscal year, with an estimate of the costs of such development work, extensions, and additions. To certify to the commission all bills, allowances, and pay rolls, including claims due contractors of public works. To recommend to the commission salaries of the employees of his office, and a scale of salaries or wages to be paid for the different classes of service required by the district. To hire and discharge clerks, laborers, and other employees under his direction. To perform such other duties as may be imposed upon him by resolution of the commission. It shall be unlawful for him to make any contribution of money in aid of or in opposition to the election of any candidate for public-utility commissioner or to advocate or oppose any such election.

(k) To sue and be sued in any court of competent jurisdiction: *Provided*, That all suits against the public-utility district shall be brought in the county in which the public-utility district is located. No suit for damages shall be maintained against such public-utility district except on the basis of a claim therefor filed with the commission of such district complying in all respects with the terms and requirement for claims for damages filed pursuant to general law against cities of the second class.

(l) By resolution to establish and define the boundaries of local assessment districts to be known as local utility district No. — for the distribution, under the general supervision and control of the commission, of water for domestic use and/or irrigation and/or electric energy, and in like manner to provide for the purchasing, or otherwise acquiring or constructing and equipping distribution systems for said purposes and for extensions and betterments thereof, and to levy and collect in accordance with the special benefits conferred thereon, special assessments and reassessments on property specially benefited thereby, for paying the cost and expense of the same, or any portions thereof, as herein provided, and to issue local improvement bonds and/or warrants to be repaid wholly or in part by collection of local improvement assessments.

The commission shall by resolution establish the method of procedure in all matters relating to local utility districts. Any public-utility district may determine by resolution what work shall be done or improvements made at the expense, in whole or in part, of the property specially benefited thereby; and to adopt and provide the manner, machinery, and proceedings in any way relating to the making and collecting assessments therefor in pursuance of this act. Except as herein otherwise provided, or as may hereafter be set forth by resolution, all matters and proceedings relating to the local utility district, the levying and collection of assessments, the issuance and redemption of local improvement warrants and bonds, and the enforcement of local assessment liens hereunder, shall be governed, as nearly as may be, by the laws relating to local improvements for cities of the first class: *Provided*, That no protest against a local utility district improvement shall be received by the commission after 12 o'clock noon of the day set for hearing.

Any improvement authorized by this act may be ordered only by resolution of the commission either upon petition or resolution therefor. Whenever a petition, signed by 10 per cent of the owners of land in the district to be therein described shall be filed with the commission, asking that the plan or improvement therein set forth be adopted and ordered and defining the boundaries of a local improvement district to be assessed in whole or in part to pay the cost thereof, it shall be the duty of the commission to fix the date of hearing on such petition and give not less than two weeks' notice thereof by publication. The commission may, in its discretion, deny such petition or order the improvement unless a majority of the owners of lands in said district shall file prior to 12 o'clock noon of the day of said hearing with secretary thereof a petition protesting against said improvement; and if the commission shall order the improvement, then it may alter the boundaries of such proposed district and prepare and adopt detail plans of any such local improvement, declare the estimated cost thereof, what proportion of such cost shall be borne by such local improvement district, and what proportion of the cost, if any, shall be borne by the entire public-utility district. Whenever such a petition signed by a majority of the landowners in such a proposed local improvement district shall be filed with the commission, asking that the improvement therein described be ordered, the commission shall forthwith fix a date for hearing on said petition, after which the commission must, by resolution, order such improvement, and may alter the boundaries of such proposed district, prepare and adopt such improvement, prepare and adopt detail plans thereof, declare the estimated cost thereof, what proportion of such cost shall be borne by such proposed local improvement district, and what proportion of the cost, if any, shall be borne by the entire public-utility district, and provide the general funds thereof to be applied thereto, if any, acquire all lands and other properties therefor, pay all damages caused thereby, and commence in the name of the public-utility district such eminent domain proceedings and supple-

mental assessments or reassessment proceedings to pay all eminent domain awards as may be necessary to entitle said district to proceed with such work, and shall thereafter proceed with such work, and shall make and file with the county treasurer its roll levying special assessments in the amount to be paid by special assessment against the property situated within such local improvement district in proportion to the special benefits to be derived by the property in such local improvement district from such improvement. Before the approval of such roll, a notice shall be published 10 days stating that such roll is on file and open to inspection in the office of secretary of the district and fixing a time not less than 15 days nor more than 30 days from the date of the first publication of such notice within which protests must be filed with secretary of said district against any assessments shown thereon, and fixing a time when a hearing shall be held by said commission on said protests. After such hearing the commission may alter any and all assessments shown on such roll and may then, by resolution, approve the same; but if any assessment be raised a new notice similar to such first notice shall be given and a hearing had thereon, after which final approval of such roll may be made by the commission. Any person feeling aggrieved by such assessments shall perfect an appeal to the superior court of such county within 10 days after such approval in the manner now provided by law for appeals from assessments levied by cities of the first class in this State. Engineering, office, and other expenses necessary or incident to said improvement shall be borne by the public-utility district: *Provided*, That where any municipal corporation included within such public-utility district already owns or operates a utility of like character for which such assessments are levied hereunder then all such engineering and other expenses mentioned above shall be borne by the local assessment district.

Whenever any improvement shall be ordered hereunder, payment for which shall be made in part from assessments against property specially benefited, not more than 50 per cent of the cost thereof shall ever be borne by the entire public-utility district, nor shall any sum be contributed by it to any improvement acquired or constructed with or by any other body, exceed such amount, unless a majority of the electors of such district shall consent to or ratify the making of such expenditure.

(m) It is, and shall be lawful for any public-utility district organized hereunder to sell and convey all the works, plants, systems, utilities, and properties authorized by this act and owned by it after proceedings had as required by sections 9512, 9513, and 9514 of Remington's Compiled Statutes of Washington: *Provided*, That three-fifths of the voters voting for such sale, in lieu of a majority, shall be necessary. Public-utility districts shall be held to be municipal corporations within the meaning of said sections and the commission of such public-utility district shall be held to be the legislative body within the meaning of said sections, and the president and secretary of such district shall have the same powers and perform the same duties as the mayor and city clerk referred to in said sections, and the resolutions of the public-utility districts shall be held to mean ordinance within the meaning of said sections.

(n) The commission of each public-utility district may adopt general resolutions to carry out the purposes, objects, and provisions of this act.

SEC. 7. Whenever the commission shall deem it advisable that the public-utility district purchase, purchase and condemn, acquire, or construct any such public utility, or make any additions or betterments thereto, or extensions thereof, the commission shall provide therefor by resolution, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof, as near as may be, and specify whether general or utility indebtedness is to be incurred, the amount of such indebtedness, the amount of interest, and the time in which all general bonds, if any, shall be paid, not to exceed 30 years. In the event the proposed general indebtedness to be incurred will bring the indebtedness of the public-utility district to an amount exceeding $1\frac{1}{2}$ per cent of the taxable property of the public-utility district, the proposition of incurring such indebtedness and the proposed plan or system shall be submitted to the qualified electors of said public-utility district for their assent at the next general election held in such public-utility district.

Whenever the commission (or a majority of the qualified voters of such public-utility district, voting at said election, when it is necessary to submit the same to said voters) shall have adopted a system or plan for any such public utility as aforesaid, and shall have authorized indebtedness therefor by a three-fifths vote of the qualified voters of such district, voting at said election, general or public-utility bonds may be used as hereinafter provided. Said general bonds shall be serial in form and maturity and numbered from 1 upward consecutively. The various annual maturities shall commence not later than the tenth year after the date of issue of such bonds. The resolution authorizing the issuance of the bonds shall fix the rate of interest the bonds shall bear, said interest not to exceed 6 per cent, and the place and rate of the payment of both principal and interest. The bonds shall be signed by the president of the commission, attested by the secretary of the com-

mission, and the seal of the public-utility district shall be affixed to each bond but not to the coupon: *Provided, however,* That said coupon, in lieu of being so signed, may have printed thereon a facsimile of the signature of such officers. The principal and interest of such general bonds shall be paid from the revenue of such public-utility district after deducting costs of maintenance, operation, and expenses of the public-utility district, and any deficit in the payment of principal and interest of said general bonds shall be paid by levying each year a tax upon the taxable property within said district sufficient to pay said interest and principal of said bonds, which tax shall be due and collectible as any other tax. Said bonds shall be sold in such manner as the commission shall deem for the best interest of the district. All bonds and warrants issued under the authority of this act shall be legal securities, which may be used by any bank or trust company for deposit with the State treasurer or any county or city treasurer as security for deposits in lieu of a surety bond under any law relating to deposits of public moneys. When the commission shall not desire to incur a general indebtedness in the purchase, condemnation and purchase, acquisition, or construction of any such public utility, or addition or betterment thereto, or extension thereof, it shall have the power to create a special fund or funds for the sole purpose of defraying the cost of such public utility, or addition or betterment thereto or extension thereof, into which special fund or funds it may obligate and bind the district to set aside and pay a fixed proportion of the gross revenues of such public utility, or any fixed amount out of and not exceeding a fixed proportion of such revenues, or a fixed amount without regard to any fixed proportion, and to issue and sell bonds or warrants bearing interest not exceeding 6 per cent per annum, payable semiannually, executed in such manner and payable at such times and places as the commission shall determine, but such bonds or warrants and the interest thereon shall be payable only out of such special fund or funds. In creating any such special fund or funds the commission shall have due regard to the cost of operation and maintenance of the plant or system as constructed or added to, and to any proportion or part of the revenues previously pledged as a fund for the payment of bonds or warrants, and shall not set aside into such special fund or funds a greater amount or proportion of the revenues and proceeds than, in its judgment, will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenues so previously pledged. Any such bonds or warrants and interest thereon issued against any such fund, as herein provided, shall be a valid claim of the holder thereof only as against the said special fund and its fixed proportion or amount of the revenue pledged to such fund, and shall not constitute an indebtedness of such district within the meaning of the constitutional provisions and limitations. Each such bond or warrant shall state on its face that it is payable from a special fund, naming such fund and the resolution creating it. Said bonds and warrants shall be sold in such manner as the commission shall deem for the best interests of the district, and the commission may provide in any contract for the construction and acquisition of a proposed improvement or utility that payment therefor shall be made only in such bonds or warrants at the par value thereof. In all other respects the issuance of such utility bonds or warrants and payment therefor shall be governed by the public utility laws for cities and towns.

SEC. 8. The commissioners shall serve without compensation. No resolution shall be adopted without a majority vote of the whole commission. The commission shall organize by the election of its own members of a president and secretary, shall by resolution adopt rules governing the transaction of its business, and shall adopt an official seal. All proceedings of the commission shall be by motion or resolution recorded in a book or books kept for such purpose, which shall be public records. The county treasurer of the county in which such district is situated shall be the treasurer of the district, and all funds of the district shall be paid to him as such treasurer and shall only be disbursed by him on warrants drawn and signed by an auditor to be appointed by the commission upon order of or vouchers approved by the commission. The commission shall have authority to create and fill such positions and fix salaries and bonds thereof as it may by resolution provide.

All materials purchased and work ordered, the estimated cost of which is in excess of \$5,000, shall be by contract. Before awarding any such contract the commission shall cause to be published a notice at least 30 days before the letting of said contract inviting sealed proposals for such work, plans, and specifications which must at the time of the publication of such notice be on file at the office of the public-utility district, subject to public inspection: *Provided, however,* That the commission may at the same time, and as part of the same notice, invite tenders for said work or materials upon plans and specifications to be submitted by bidders. Such notice shall state generally the work to be done, and shall call for proposals for doing the same, to be sealed and filed with the commission on or before the day and hour named therein. Each bid shall be accompanied by a certified check, payable to the order of the commission, for a sum not less than 5 per cent of amount of the bid, and no bid shall be considered unless accompanied by such check. At the time and place named such bids shall be publicly opened and read, and the commission shall proceed to canvass the bids, and may let such contract to the lowest responsible bidder

upon plans and specifications on file, or to the best bidder submitting his own plans and specifications: *Provided, however,* That no contract shall be let in excess of the estimated cost of said materials or work, or if, in the opinion of the commission, all bids are unsatisfactory, they may reject all of them and readvertise, and in such case all checks shall be returned to the bidders; but if such contract be let, then and in such case, all checks shall be returned to the bidders except that of the successful bidder, which shall be retained until a contract shall be entered into for the purchase of such materials for doing such work, and a bond to perform such work furnished, with sureties satisfactory to the commission, in an amount to be fixed by the commission, not less than 25 per cent of contract price in any case, between the bidder and commission, in accordance with the bid. If such bidder fails to enter into said contract in accordance with said bid and furnish such bond within 10 days from the date at which he is notified that he is the successful bidder, the said check and the amount thereof shall be forfeited to the public-utility district.

Every contractor and subcontractor performing any work for said public-utility districts or local utility districts within said public-utility district shall pay or cause to be paid to its employees on such work or under such contract or subcontract not less than the minimum scale fixed by the resolution of the commission prior to the notice and call for bids on such work. The commission, in fixing such minimum scale of wages shall fix the same as nearly as possible to the current prevailing and going wages within the district for work of like character.

SEC. 9. The county treasurer of the county in which is located any public-utility district shall be ex officio treasurer of any public-utility district in such county, and he shall create a fund for any public-utility district to be known as public-utility district fund, into which shall be paid all money received by him from the collection of taxes in behalf of such public-utility district, and he shall also maintain such other special funds as may be created by the public-utility commission, into which shall be placed such moneys as the public-utility commission may by its resolution direct.

All such public-utility district funds shall be deposited with the county depositories under the same restrictions, contracts, and security as is provided by statute for county depositories, and all interest collected on such public-utility funds shall belong to such public-utility district and be deposited to its credit in the proper public-utility district funds.

SEC. 10. Two or more contiguous public-utility districts may become consolidated into one public-utility district after proceedings had as required by sections 8909, 8910, and 8911 of Remington's Compiled Statutes of Washington: *Provided,* That a 10 per cent petition shall be sufficient; and public-utility districts shall be held to be municipal corporations within the meaning of said sections, and the commission shall be held to be the legislative body of the public-utility district as the term legislative body is used in said sections: *Provided,* That any such consolidation shall in no wise affect or impair the title to any property owned or held by any such public-utility district, or in trust therefor, or any debts, demands, liabilities, or obligations existing in favor of or against either of the districts so consolidated, or any proceeding then pending: *Provided further,* That no property within either of the former public-utility districts shall ever be taxed to pay any of the indebtedness of either of the other such former districts.

The boundaries of any public-utility district may be enlarged and new territory included therein, after proceedings had as required by section 8894 of Remington's Compiled Statutes of Washington: *Provided,* That a 10 per cent petition shall be sufficient; and public-utility districts shall be held to be municipal corporations within the meaning of said section, and the commission shall be held to be the legislative body of the public-utility district: *Provided,* That no property within such territory so annexed shall ever be taxed to pay any portion of any indebtedness of such public-utility district contracted prior to or existing at the date of such annexation.

In all cases wherein public-utility districts of less area than an entire county desire to be consolidated with a public-utility district including an entire county, and in all cases wherein it is desired to enlarge a public-utility district including an entire county by annexing a lesser area than an entire county, no election shall be required to be held in the district including an entire county.

SEC. 11. Adjudication of invalidity of any section, clause, or part of a section of this act shall not impair or otherwise affect the validity of the act as a whole or any other part thereof.

The rule of strict construction shall have no application to this act, but the same shall be liberally construed, in order to carry out the purposes and objects for which this act is intended.

When this act comes in conflict with any provision, limitation, or restriction in any other law, this act shall govern and control.

SEC. 12. This act shall not be deemed or construed to repeal or affect any existing act, or any part thereof relating to the construction, operation, and maintenance of public utilities by irrigation or water districts or other municipal corporations, but shall be supplemental thereto and concurrent herewith. No public-utility district created hereunder shall include therein any municipal corporation, or any part thereof, where such municipal corporation already owns or

operates all the utilities herein authorized: *Provided*, That in case it does not own or operate all such utilities it may be included within such public-utility district for the purpose of establishing or operating therein such utilities as it does not own or operate: *Provided further*, That no property situated within any irrigation or water district or other municipal corporations shall ever be taxed or assessed to pay for any utility, or part thereof, of like character to any utility owned or operated by such irrigation or water districts or other municipal corporations.

ORDER OF PROCEDURE

Mr. CUTTING. Mr. President, will the Senator from California [Mr. JOHNSON] yield to me for about five minutes to submit a few remarks before he proceeds?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from New Mexico for that purpose?

Mr. JOHNSON. I shall be glad to do so, provided the Senator does not occupy more than that length of time.

Mr. CUTTING. I assure the Senator I shall not do so.

Mr. JOHNSON. Very well.

OIL-LAND LEASES

Mr. CUTTING. Mr. President, there began yesterday in Colorado Springs a conference of the governors of the oil-producing States of the Union, called to consider matters of vital national importance. The conference was called by the President of the United States, and, after being opened by the Secretary of the Interior, the chairmanship of the meeting was turned over to Mr. Mark L. Requa. I do not know what took place in that meeting beyond what is reported this morning by the Associated Press. I quote from their dispatch as follows:

An initial attempt at the governors' oil-conservation conference here to obtain action on a resolution favoring rescinding of President Hoover's order barring further prospecting on the public lands fell short to-night when Chairman Mark L. Requa ruled a resolution to that effect out of order.

This was the conference called by the administration to consider all matters concerning in any way the conservation of oil. I challenge the right of Mr. Mark L. Requa or of anyone else to prevent the discussion by the governors or representatives of the sovereign States involved of any matter pertinent to the issue before that conference.

I quote further from the Associated Press dispatch:

If and when the Government has made it possible for the industry to cooperate and conserve—

Said Mr. Requa—

and that cooperation and conservation is not forthcoming, then acting in behalf of national need, no one will be more insistent than myself in urging rigid Government coercive regulation.

The resolution which I understand was sponsored by the Governor of Wyoming dealt with the presidential order of March last concerning the administration of the 1920 leasing act. If that was not germane to the issue before the conference, I can not conceive what matters could be considered germane.

If the 1920 leasing act has outlived its value and its usefulness, it is the duty of the Congress to deal with the matter and provide an alternative which shall be better. I believe a resolution on this subject is at present before the Committee on the Judiciary and I do not want to comment on it further.

I will say, however, that the kind of conference which summons the governors and representatives of nine sovereign States before it and says to them, first, "Anything which you may say which does not agree with the policy of the administration is out of order," and which then goes on to say, "If your deliberations do not produce a result gratifying to the administration, we shall use coercion," is not one, in my opinion, which will further a really satisfactory settlement of the oil situation.

Speaking for New Mexico, and I hope for the other Rocky Mountain States, a policy of coercion will be bitterly resented and repudiated.

Mr. JOHNSON. Mr. President—

Mr. KING. Mr. President, will the Senator from California yield to me for a moment?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Utah?

Mr. JOHNSON. I yield.

Mr. KING. Mr. President, the Senator from New Mexico [Mr. CUTTING] has just addressed himself to a question, the importance and significance of which I am afraid, the Senate does not appreciate. The President has spoken much in regard to law enforcement and obedience to the law. All patriotic citizens accept the view that constitutional laws should be observed. The Constitution of the United States confers upon Congress exclusive authority to dispose of and make rules and

regulations respecting the territory and other property belonging to the United States. It does not give this authority to the President of the United States or to any executive branch of the Government.

Pursuant to this authority Congress in 1920 enacted a law "to promote the mining of phosphate, oil, coal, gas, and sodium in the public domain." Section 1 of the act provides that the minerals mentioned in the act "shall be subject to disposition in the form and manner provided by the act."

The law was enacted, not for the purpose of locking up oil, coal, and other minerals, or conferring upon the Executive the discretion to prevent the development of mineral lands or the disposition of the lands referred to in the act.

Congress did not intend to give nor did it give to the President or the Secretary of the Interior authority to dispose of oil or gas or coal lands. The law contemplated that these lands should be disposed of under the terms of the act. The President of the United States on the 12th day of March of this year made a statement, which has been regarded as an Executive order, which I submit was in violation of the letter and the spirit of the leasing act referred to. It was in effect an attempt to nullify the act of 1920 and to interfere with the rights of thousands of American citizens who were seeking to obtain leases and permits to develop oil lands upon the public domain under the provisions of the act of 1920. In my opinion the President's act was unwarranted, unauthorized, and invalid. The Secretary of the Interior, pursuant to the order of the President, took steps to execute the same; and, abdicating any discretion which he had in the matter of granting permits, ordered the return of applications for permits to thousands of American citizens, and issued other orders, which were ex post facto in character and abridged the vested rights of thousands of other citizens of the United States.

Mr. President, I condemn the course of the President and the Secretary of the Interior in their efforts to set aside an act of Congress. In my opinion their course constitutes a denial of the rights of American citizens and is an attempt to nullify an important law of the land.

Congress, after years of investigation and consideration of the question of dealing with coal, oil, gas, and certain other mineral lands, enacted the leasing act of 1920. The House committee, in reporting the bill in the Sixty-fifth Congress, third session, declared that the measure "was for the development of the West and of the resources of the West." They further stated that the measure in question "will keep open and develop the West and break the deadlock which had existed since the withdrawals of 1909."

Under this law leases have been granted for the development of the minerals embraced in this act and found upon the public domain. Tens of millions of dollars have been expended in this development and in geological explorations for the discovery of minerals upon the public domain. Many citizens have expended large sums in their efforts to discover oil and gas, preliminary to applying for permits. Thousands of applications for permits had been made prior to the date of the President's order and thousands were pending in the various land offices and in the Interior Department on the 12th day of March of this year. I shall not trespass upon the Senator's time to explain the full effects of the action of the President and the Secretary of the Interior, and the serious consequences which have followed and the enormous losses which have been sustained by persons who, in good faith, complied with the law.

A conference of the oil producers of the United States has been called, as I understand, by the President, and it is now meeting in Colorado. Many of the large oil operators have been attempting to secure Executive approval for the organization of further trusts and combinations, ostensibly in the interest of conservation, but in reality to enable them to charge higher prices for crude oil and its derivatives. This conference, in my opinion, is largely in the interest of some plan or scheme that will tend to the creation of a monopoly by the large oil producers in the United States. The various Standard Oil Corporations, the Gulf Refining Co., and other large producing organizations, have their representatives at the Colorado conference, and the press reports referred to by the Senator from New Mexico indicate that they are seeking the adoption of a policy to restrict production with, of course, the ultimate object of securing higher prices for all oil products.

Mr. Mark Requa apparently is the representative of the Executive, and it would seem that the Federal Government is backing the plan suggested by Mr. Requa, who threatens coercive measures against the States if some agreement is not reached in harmony with the purposes of the great oil producers of the United States. There is now an Oil Trust in the United States, and the profits of some members of this trust are already stupendous. The Oil and Gas Journal, under date of January

31, 1929, reports that the dividend record of the Standard Oil group for the year 1928 totals \$222,331,221. Authentic reports indicate that the production of oil and its various by-products scarcely keeps pace with the requirements of the country, and that had it not been for imports the domestic production would have been insufficient to meet domestic needs.

Mr. President, in my opinion, some of the purposes of the conference are improper and purely selfish. I regret that the administration is strengthening the hands of those who are seeking an oil monopoly; it is certain that the illegal order of the President and the orders of the Secretary of the Interior pursuant thereto, will contribute to the monopoly sought, and prove of serious injury not only to the public land States but to the American people.

I offered a resolution a few weeks ago, which is now before the Judiciary Committee of the Senate. This resolution seeks the judgment of the committee as to the validity of the act of the President and the orders of the Secretary of the Interior pursuant thereto. I shall seek an early opportunity to discuss this resolution and the causes leading to its introduction.

Mr. BURTON. Mr. President—

The VICE PRESIDENT. The Senator from California has the floor.

Mr. BURTON. Will the Senator from California yield to me?

The VICE PRESIDENT. The Chair will announce that if the Senator from California yields for speeches he will lose the floor, and the Chair will hereafter enforce the rule.

Mr. JOHNSON. I recognize that I can not yield for a speech.

Mr. BURTON. I desire only a moment.

Mr. JOHNSON. The Senator from Ohio will have to pardon me, because the Vice President has just said that if I yield for a speech I shall lose the floor, and I do not want to lose the floor. I will yield for the presentation of a memorial or anything of that sort.

Mr. BRATTON. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from New Mexico?

Mr. JOHNSON. I can not yield for a speech.

Mr. BRATTON. I do not intend to transgress upon the rights of the Senator. I simply wish to observe that at the conclusion of his remarks I shall desire to submit some observations in connection with the same subject matter to which my colleague the junior Senator from New Mexico [Mr. CUTTING] and the junior Senator from Utah [Mr. KING] have addressed themselves.

FARM RELIEF—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1) to establish a Federal farm board to promote the effective merchandising of agricultural commodities in interstate and foreign commerce, and to place agriculture on a basis of economic equality with other industries.

Mr. JOHNSON. Mr. President, I wish to address myself rather briefly this morning to some phases of the conference report on the farm relief bill and to the question which has been in controversy in the Senate during the past few months. The debate yesterday threatened to take something of a sinister course at one time, as voiced upon this floor during that debate were some of the animadversions that we have read expressed in the press of the Nation since the vote was had upon the farm relief bill.

I want to make plain to-day the sequence of events concerning the farm relief bill. I want to leave in every man's mind upon this side of the Chamber an accurate history of what has transpired in relation to farm relief. Then I want to leave with my brethren here the problem of whether they stand as they and I stood last year, as they and I have stood in years gone by, or whether to-day, in connection with the debenture provision which recently was adopted by the Senate, they desire to change entirely the stand that was theirs for years in the past, and that is the stand to-day of certain of those who sit upon this side of the Chamber.

Do you realize, Mr. President, what the bill is that constitutes to-day what is termed the administration bill? It is the Jardine bill of a year or two ago. Do you realize that in the report of the Committee on Agriculture the bill is actually and accurately described as the Jardine bill, which was presented to the Congress of the United States a year or two ago as a bill which should take the place of the relief measure then pending before the Committees on Agriculture of the two Houses? Do you realize also that interlocked with the Jardine bill there is a sort of irony of fate? The bill which to-day it is asserted, upon pain of the displeasure of a united, servile, hypocritical, and

subservient press of the Nation, that we must pass else we shall have done something which will return to plague us in the days to come, is the old Jardine bill without the debenture clause.

That bill was not only repudiated by every farming section in this Nation when it was presented but was repudiated by the Congress of the United States and by both the Agricultural Committees of that Congress. It is the bill, indeed, which made the poor former Secretary of Agriculture so unpopular in the farming districts of the Nation that it was impossible for him to continue in his activity as Secretary of Agriculture. Notwithstanding he was one of the original men who fought the fight in behalf of the Republican candidate for President, he was denied a continuance in his office because the Jardine bill had rendered him so unpopular all over the land and had been so generally and universally repudiated that it made him inappropriate from the popular standpoint longer to fulfill the office and perform the duties of Secretary of Agriculture. It is the irony of fate that to-day that is the bill stripped of the debenture clause which it is asserted we must pass at all hazards and concerning which it is asserted that we must not have any opinions or present any amendments on pain of having no farm relief at all. So much for the genesis of the bill.

Then what? Before the Agricultural Committees of the Senate and the House there have been farm relief bills pending for eight long years. No committees with more painstaking care, with greater industry, with greater ability, ever considered legislation. The Committee on Agriculture of the Senate, sitting during the interval before the extra session and thereafter, continued the investigations which have been so well made by that committee in the years gone by. It proceeded with the taking of testimony; it continued its work, and finally there came to the committee sitting as the Committee on Agriculture of the Senate of the United States the debenture clause. It appealed to the Agricultural Committee—not to one member or another, not to a Democratic member or a single individual Republican member, but it appealed to the unanimous judgment of the entire Agricultural Committee of the United States Senate.

Talk to me about politics in the vote that has been given by certain unafraid men upon this side upon this bill! Politics! Why, the Republican Party, as represented in the Agricultural Committee of the United States Senate, unanimously, when it was presented to it, indorsed the debenture provision that is contained in the bill on which we in the Senate voted and which we passed. Every single man upon that committee, Republican and Democrat alike, was for that bill and for the debenture clause.

Then what occurred? After, with unanimity having their judgments convinced of the availability and desirability of the debenture clause, the thought occurred to some upon the committee that it might not be entirely pleasing to the President of the United States—and that was appropriate, of course, for them thus to consider—to pass a bill containing the debenture clause. Then a subcommittee was appointed by the Agricultural Committee to take up the matter with the President. That subcommittee called upon the President, presented to him frankly its view, and asked his. So far as I am able to ascertain from what has been said upon the floor here, the subcommittee was advised by the President that he had substantially at that particular moment no opinion upon the subject, but referred the subcommittee and the Committee on Agriculture to the experts of the Agricultural Department—a perfectly legitimate thing and a perfectly proper thing, of course, to do. Thereafter the Committee on Agriculture called before it the experts of the Agricultural Department and listened to the testimony of those experts upon the debenture plan, and after the experts of the Agricultural Department, presided over by the President's Secretary of Agriculture and under the command of the present President of the United States, had testified before the Agricultural Committee, the Agricultural Committee of the United States Senate unanimously voted to report this bill with the debenture clause in it.

Politics in the action of the Senate! A desire to embarrass the President or somebody else! What politics could possibly be in a bill that was presented with absolute unanimity by the Agricultural Committee of the Senate after the experts of the Agricultural Department had testified and after the President of the United States had been consulted upon the matter?

Mr. McNARY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Oregon?

Mr. JOHNSON. I yield.

Mr. McNARY. I hesitate to interrupt the Senator from California.

Mr. JOHNSON. I am very glad to be interrupted.

Mr. McNARY. The Senator is so just, and uniformly fair about matters under consideration in the Senate that I am sure he is not in full possession of the facts in this instance. When the debenture provision came before the Senate Committee on Agriculture I said specifically a great number of times that I was opposed to the debenture in principle; but, in order to report a bill, I voted to report the bill containing the debenture clause, reserving the right to oppose it on the floor of the Senate. That was also the state of mind of the Senator from Kansas [Mr. CAPPER] and the Senator from Idaho [Mr. THOMAS]. There was no influence used in any way whatsoever, but we carried out the principle which we had said beforehand we had in our minds.

Mr. JOHNSON. Mr. President, I, of course, accept the correction of the Senator from Oregon; but may I be pardoned the suggestion that the bill which came to us here with a unanimous report, with the debenture plan in it, probably would have found no opposition in this Chamber if there had been no letter written by the President?

May I inquire from the Senator from Oregon: Suppose the President had not written his famous letter to the Senator in which he expressed his opinion upon the debenture plan, would not the bill have gone through with the debenture plan in it, and practically without opposition from the committee?

Mr. McNARY. Mr. President, I do not speak or attempt to speak for any other Member of this body. I have been in principle against the debenture plan for years; and, for one, I would have opposed it and voted against it.

Mr. JOHNSON. Mr. President, I recall the opening statement of the Senator from Oregon. I do not wish to quote it now from memory. I will obtain it during the course of the day; but, if I am not in error, in the opening argument that was presented by the Senator from Oregon upon this subject he said in so many words that the debenture probably would do the job; and, so far as I recall, there never was an objection voiced in his remarks to the debenture except upon the theory, and the perfectly legitimate theory, that with the debenture in the bill it could not become a law, or it might be vetoed. If I do the Senator an injustice in that repetition, I shall be very glad to have him correct me.

Mr. McNARY. Mr. President, I stated specifically that, in my opinion, the application of the debenture plan would make the tariff partially effective and probably would increase the price level—that I stand upon—but in doing the job it would work disastrously and wreck the agricultural structure in the long run. I shall be very glad to have my speech, or any part of it, inserted in the RECORD at this point in justification of my present remarks.

Mr. JOHNSON. Oh, I would not question at all what the Senator says as to his position; but this is the first time upon this floor that I have heard that position stated by the Senator from Oregon or any other member of the Agricultural Committee.

Mr. NORBECK. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from South Dakota?

Mr. JOHNSON. I do.

Mr. NORBECK. I merely wish to call attention to the fact that the hearings disclosed no such remarks on the part of the chairman of the Committee on Agriculture and Forestry as he has made here now; and we had 23 hearings before the Agricultural Committee. I do not mean to argue from that that he favored the debenture plan as a measure of farm relief, because he has always favored the equalization fee; but certainly, as a member of the committee who attended every session, I was led to believe that the debenture plan with him was all right unless the President objected to it.

Mr. McNARY. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Oregon?

Mr. JOHNSON. I do.

Mr. McNARY. The controversy concerning the debenture plan arose in the committee in executive session. I think I made myself very clear in my view. I stated that in order to get the bill before the body I would support it, reserving the right, which is contained in the first report, to vote as I pleased when it came to the floor of the Senate. I also said that if the President of the United States should make it clear that he would veto the bill I should be influenced by that attitude, and I was to that extent.

Mr. NORBECK. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield further to the Senator from South Dakota?

Mr. JOHNSON. I yield to the Senator.

Mr. NORBECK. May I add to that that the executive session followed the other hearings?

Mr. JOHNSON. Mr. President, we are doing now what ought to have been done in the beginning of this discussion: We are having some real discussion upon the debenture proposition and the attitude of the Agricultural Committee concerning it. Until this instant, sir—although I say I do not question in the slightest degree whatever may be said by the Senator from Oregon—until this instant, sir, the fact or the statement that this committee was unanimous in favor of reporting this bill with the debenture clause, and in favor of the bill with the debenture clause, has never been questioned, so far as I am aware. To-day—to-day, two hours and a half before voting upon the conference report—is the first time upon this floor, and the first time, so far as I am aware, that there has ever been a suggestion that the committee, or any part of the committee, opposed the debenture provision of the bill; but all, I had assumed from what has gone on on this floor, and from what has transpired during the debate, and from what has happened in the committee—all, I assumed, favored the debenture plan, and six were opposed to it ultimately solely upon the perfectly legitimate ground that they would be unable to obtain a farm relief bill, or the bill would be vetoed, if it were passed with the debenture plan in it. The members of the Agricultural Committee know better than I just exactly whether I am accurate in that statement, or what transpired within the committee, I concede.

Mr. LA FOLLETTE. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Wisconsin?

Mr. JOHNSON. I yield.

Mr. LA FOLLETTE. I have before me the CONGRESSIONAL RECORD containing the statement of the Senator from Oregon. I do not know whether the Senator from California desires to be interrupted at this point or not.

Mr. JOHNSON. I shall be very glad to yield for that purpose. I want to get all the facts.

Mr. McNARY. I shall be glad to have the Senator read what I said.

Mr. LA FOLLETTE. On April 23—

Mr. McKELLAR. What page?

Mr. LA FOLLETTE. On April 23, at page 370 of the RECORD, while the Senator from Oregon was making his opening statement concerning the bill, this colloquy took place; and I think it will clarify the situation if I read it:

Mr. NORRIS. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Nebraska?

Mr. McNARY. I am very glad to yield.

Mr. NORRIS. The Senator is giving a very accurate statement as to what took place in the committee; but in order to be of assistance in seeing that it is entirely accurate I should like to call the attention of the chairman of the committee to the fact that prior to last Monday, when the President sent his objections, but after the time the subcommittee had waited on the President, and when they followed his suggestions and brought up some experts of the department, the committee unanimously agreed that the debenture plan should be included in the bill.

Mr. McNARY. That is true, Mr. President.

Mr. NORRIS. I think the Senator, in completing an accurate statement, ought to state that.

Mr. McNARY. I thank the Senator from Nebraska. I must add to that, however, that there were four of those present, including the chairman, the Senator from Maine [Mr. GOULD], the Senator from Kansas [Mr. CAPPER], and the Senator from Idaho [Mr. THOMAS], who reserved the right to present their views in opposition.

Mr. NORRIS. Oh, yes; but, in fact, the action of the committee at that time, with 14 members present, was unanimous.

Mr. McNARY. Yes; that is correct.

When interrupted, Mr. President, I think I was stating that my objection to the debenture plan was first based upon the proposition—a sentiment which is a principle with me—that good legislation can not be effected through a subsidy. I opposed as best I could the ship subsidy bill when it was on the floor of the Senate. I do not think a subsidy applied to the farmers would be permanent legislation.

Mr. McNARY. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Oregon?

Mr. JOHNSON. I do.

Mr. McNARY. I thank the Senator. That is precisely what I stated. I did omit the Senator from Maine. The reservation there stated that the four of us reserved the right to act in accordance with our own judgment on the floor; but we did vote to bring out the measure with that reservation.

Mr. JOHNSON. Was not the committee in favor of the debenture plan up to the time that the President wrote this letter?

Mr. McNARY. Mr. President, this was all prior to the time the letter was written by the President.

Mr. JOHNSON. All right, sir; I am willing to accept the Senator's statement.

Mr. NORBECK. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from South Dakota?

Mr. JOHNSON. I yield.

Mr. NORBECK. But it did not all happen prior to the time the subcommittee called on the President.

Mr. McNARY. Oh, no; it did not. It was a continuing suggestion. There is really nothing in controversy. The chairman of the committee made it plain—and I am not using it for any influence here—that never in his life had he been in favor of the debenture plan, for the reasons I stated some time ago and a moment ago, and stated to different Members; but I felt, Mr. President, that it was an optional provision; it would do the job immediately, but eventually I was afraid it would act with disaster to the farmers of the country; and I voted with that reservation to bring it on the floor of the Senate, where it could be thoroughly discussed.

Mr. JOHNSON. Well, if it will do the job, that is what I want to do. The point is, What will do the job? When the chairman of the Agricultural Committee says that the debenture will do the job, he and I are quite in agreement. Whatever may have been the proceedings in the committee, we agree upon one thing, at least, and that is that the debenture provision of the bill will do the job; and that I should like to do.

Mr. McNARY. Mr. President, that is hardly fair. I stated over and over again that it would meet the present situation by partially making the tariff effective, but in the end it would destroy the agricultural industry.

Mr. JOHNSON. The Senator makes his position perfectly plain now—

Mr. McNARY. I hope the Senator will finish the thought.

Mr. JOHNSON. But that position was not perfectly plain before, at least to me. Therefore we will proceed. The committee then, we will say, was divided—and I should like to hear from them during the afternoon—upon the question of the debenture clause. At any rate, they unanimously reported it, with the reservation on the part of some of those that they might afterwards act, in accordance with the usual way in which we do upon committees, as they saw fit when the matter came upon the floor.

So far, so good. The committee were acting unquestionably, as everybody in this body is acting, with the desire to do for agriculture what might be essential in order to relieve the disaster and the distress that now exist. How best can we do it? You say, "By the bill that has been presented here," and that you can do it by the bill presented here without the debenture, and that you can not do it with the bill presented with the debenture. Yet no man, sir, knows what the bill is that is presented here by the administration, eliminating the debenture clause. It is all empirical. It is asserted that the President, with the debenture clause, would veto this bill. Who speaks authoritatively for him in that regard? I have heard none upon this floor, although there may be others who can thus speak.

But why should there be a veto because of a debenture clause that is a mere option in a bill which admittedly is empirical in character, which no living soul can tell may ultimately result in one way or another? Its provisions are so far-reaching that none have been heard thus far upon this floor to tell what may be the limits to which the Nation will go in the appropriation of \$500,000,000, or in the endeavor to rehabilitate agriculture. None can tell; and yet a particular part of the bill that is optional in character, and which may or may not be adopted by those whom the President appoints to take charge of the bill—that particular part is the subject of the controversy here, and the mandate is put upon all of us that we must not, under any circumstances, pass that optional clause, an optional clause, sir, that admittedly at some time or in some period or for some brief occasion may do the job that we are all seeking to do; but, nevertheless, optional as it is, we must not pass it, because it is asserted by some here, and by some beyond the confines of this Chamber, that the President may veto it if we do thus pass it with the debenture clause.

I again ask, who authoritatively says that the President of the United States will veto a mere option that gives him a right to relieve agriculture if that option shall be appended to a bill that is presented by him to the Congress of the United States?

There are other circumstances, sir, with which we necessarily must deal in a bill of this sort. I have learned this morning that the Senator from Oregon is opposed to the debenture clause, and always has been opposed to it. I learned from him

that the Senator from Kansas is opposed to the debenture clause, and always has been opposed to it. Before this morning I never knew the fact. I apologize to them for having suggested that they may have been all the time in favor of the debenture provisions of this bill. Nevertheless, sir, what have we as the background of the bill, and as the background of the promise that is before us in this Congress and upon this side of this Chamber in relation to farm relief?

I recall last year, when it seemed that the political result was trembling in the balance. I remember when apparently there was revolt on in the great Middle West, and none could foresee what the results of the election might be. I remember the services were invoked of two men, distinguished Members of this body, whose aid was sought to carry the contest in the great Middle West upon the one burning issue there, that of farm relief. I remember that during that campaign two men more than any other men in all that trying time bore the burden, and made the fight for the present President of the United States. I remember the success they had in the territory they covered, and I remember, too, how their speeches in relation to farm relief, and concerning the attitude of the Republican candidate upon that subject, were broadcast throughout the land by the million.

Those two men, the Senator from Idaho [Mr. BORAH] and the Senator from Iowa [Mr. BROOKHART], bore the burden of the campaign. They pledged not only the Republican Party, but, in substance, the Republican candidate for President, upon the matter of farm relief, to those people in the Middle West.

These two men are known here, known to every man in this body. No man questions their integrity. None questions their character. None would be heard to belittle either their fame or their good conscience.

Those two men, mindful of their activities in the trying time last year for the Republican Party, remembering their endeavors in behalf of the Republican candidate during the last year, these two men upon the floor of the Senate say, in so many words, that in the redemption of the promises of the party which then they wrested from possible defeat, to-day, in the good faith they owe to the people of the United States, to the farmers of the great Middle West, they feel constrained to vote for a debenture provision, and both upon this floor stand advocating that debenture provision.

Talk to me, as somebody said yesterday, about leaving the administration, or uniting with somebody upon the other side, in an endeavor to embarrass somebody or some particular official! These two Senators of the United States are standing to-day where they stood last year before the American people, and I am standing to-day where they stood last year, and where the Republican Party stood last year before the American people.

Somebody else has shifted ground, not the Senator from Iowa or the Senator from Idaho. Ground has been shifted in some other direction.

So, in the story of this bill, you may take it that, first—however, there may have been a reservation of opinion by four or six members of the Committee on Agriculture—the committee reported the bill with the debenture clause in it.

You may take it that in the days gone by, when the Jardine bill was presented to the Committee on Agriculture—and it is the bill that is presented to us to-day, minus the debenture provision—that bill was repudiated by the Committees on Agriculture of both Houses of the Congress, by the Republican Party, and by the entire Congress.

You may take it to-day that the two men who made the great fight for farm relief in the farming districts of the United States in the campaign last year stand here for the debenture because of the necessity which they feel in their consciences of redeeming the pledge made by the Republican Party to the people of the United States in relation to farm relief.

You may take it, too, that there are some of the rest of us who stand here exercising our independent judgment upon a matter of economic difficulty which appears before the Senate and before the Congress.

No man need make any mistake concerning my attitude. In 20 years of public life in the State of California I have ever made plain to the people there that I act as I think I ought to act on every conceivable occasion. No man upon this side of the Chamber need labor under any delusion as to my future actions here or my past. Upon any question that comes here there is no lash of any kind that can deter me from acting exactly as I desire.

I know that there are individuals who respond to one thing and individuals who respond to another. I accuse none and criticize none; but I have found that criticism is rampant in the last few weeks, in the servile press of this Nation, concern-

ing men who dare to vote for the debenture clause, and therefore I turn aside for a moment or two in discussion of the attitude of those who have taken that position.

I realize, sir, that there are those with whom—

The jingling of the guinea helps the hurt that honor feels.

I know that there are some who—

Crook the pregnant hinges of the knee
That thrift may follow fawning.

I realize that there are some who, whenever the party lash is applied, crawl to the one who lashes them.

"I had rather be a toad and live upon the vapor of a dungeon" than sit in this body, or any other body, and take orders upon a question of conscience from any man on earth, no matter how exalted his position.

I would "rather be a dog and bay the moon" than sit here a United States Senator, acting not as a Senator and not as an independent man with a head upon his shoulders that God gave him so he could think for himself, but acting merely as he might be driven to act by the order or the mandate or the ipse dixit of any man on the face of the earth.

Behind me in my office in California for six long years there was a motto, a quotation from the greatest of Americans. In my office in this Capitol that quotation faces me whenever I lift my eyes, and from the sainted Lincoln's words I take my philosophy of activity:

I am not bound to win, but I am bound to be true. I am not bound to succeed, but I am bound to live up to what light I have.

I must stand with anybody that stands right; stand with him while he is right and part with him when he goes wrong.

I stand by the President when I believe him to be right, but when I believe him to be wrong I part with him, and I go my own way, and I go my own way with full knowledge of what the consequences may be.

I am led, sir, in some degree to make these remarks because from the State in which I was born and from which I come many telegrams have been sent me in the last few days upon this subject. I shall read, so that Senators may understand in some little degree the mode that is adopted in order to drive men into particular positions in this body upon various bills. I have selected but two of the many like telegrams that have come to me in these last few days. The first reads:

To assist northern California woolgrowers and cattlemen on tariff situations coming up later, please support conferees' report eliminating debenture feature farm relief bill.

How naïve is that in these gentlemen. Here is another:

We greatly hope you will find it possible to vote approving conference report on relief bill. California agricultural sentiment with which we are familiar strongly favors this bill as reported from conference. We fear opposition through this bill by any California Member would prejudice our interests in new tariff bill.

You may understand something of what that means when I say to you that probably there is no State in the Union more interested in the tariff bill than the State from which I come, and very gently and subtly it is conveyed to me that if I dare to vote my conscience upon the debenture measure I will suffer in the tariff bill which ultimately is to be enacted by the Congress.

Of course, no one here would indulge in that sort of thing, and none here would be so crude as even to suggest it; but it is the mode that is ever adopted by ruthless power to drive and threaten and bend others to their will.

Many such wires have come. None, of course, will be heeded. We will go on in this body pursuing our course as we have pursued it in the past, pursuing it in order that we may do our full duty upon every matter that shall arise before this body.

What is the debenture? Merely a desire, a design, a device, by which agriculture may be put on an equality and parity with industry in relation to the tariff. Unknown and untried? Not at all, sir; both known and tried, here in this Nation and abroad. To-day the debenture in one fashion is being practiced under the tariff law. To-day we remit 20 per cent upon sugar duties to those who own sugar plantations in Cuba and import sugar from Cuba to the United States. We remit that duty to planters in Cuba. Yet the remitting of the duty to them, which constitutes a bounty to the man who is producing sugar in Cuba, is considered a magnificent part of our political economy, while remitting a duty to agriculture is considered a subsidy, a wicked bounty, and a raid upon the Treasury.

We upon this side of the aisle all believe in the tariff. All of us, of course, upon this side of the Chamber insist upon it that industry shall be protected and protected to the full. But once we protect industry to the full then we begin to deduct

from the United States Treasury the very money that otherwise would go into it. In the testimony that was given before the Committee on Agriculture and Forestry two incidents concrete in character that illustrate the point were made, and I make them now in order that they may be a part of this general record.

When a tariff becomes so high as to become really protective, at once we divert money from the Treasury. In the matter of aluminum ware in 1920 the duty was 25 per cent ad valorem and we imported \$422,000; in 1921, \$672,000, and in 1922, \$780,000. In 1925 the ad valorem duty was raised to 77 per cent, and we imported but \$126,000. In 1926 the ad valorem was 78 per cent, and we imported but \$96,000. In 1927 the ad valorem was 77 per cent, and we imported but \$72,000. The raising of the duty from 25 per cent to 70 per cent ad valorem kept out of the Treasury in round numbers \$400,000. Where did it go? Why, it went, of course, to the Aluminum Trust. That is good economics and in that we must believe, and because it goes to industry it is all right. But let there be a drawback provision by which a part of the tariff will go to the farmer, and that is a bounty and a subsidy and it is a raid upon the Treasury of the United States. What is the difference between the two?

Again, take the concrete instance of pocketknives. In 1920 we imported \$585,000 worth with an ad valorem tariff of 51 per cent. In 1921 we imported \$790,000 worth with an ad valorem tariff of 56 per cent. In 1922, with an ad valorem tariff of 63 per cent, we imported \$936,000 worth. In 1925 we imported \$298,000 only, and the ad valorem tariff was then fixed at 116 per cent. In 1926, with an ad valorem tariff of 117 per cent, we imported only \$267,000 worth. So that in the first three years of the old tariff we imported \$2,319,000 and collected a duty of \$1,200,000, and when the tariff was raised as I have indicated we diverted from the Treasury in round numbers \$355,000. That is all right. I do not question it, and I do not disapprove it at all. But I say that when the time comes when we are seeking to put, as we pledged ourselves we would put, agriculture upon an equality and a parity with industry, then we ought to take part of the tariff, because the tariff does not now aid agriculture, and give it to agriculture that it may be put at least in small measure with its exportable surplus upon an equality and a parity with industry.

So much for the means itself of the debenture. Why should it not go into this bill? Why should not it be acted upon by this body? The only reason that is urged is the one to which I have adverted, that the bill would be vetoed with it in. I can not conceive the possibility that a bill designed to relieve agriculture that is wholly experimental in character will be vetoed because there is an optional clause in that bill which would enable the President of the United States to do some other thing than that which originally was contemplated.

I listened to the testimony before the Committee on Agriculture and Forestry as given by the Secretary of Agriculture, Mr. Hyde. I thought that he bore himself extremely well under very, very difficult circumstances. But I gathered from his testimony, though I have not read it over since the time I listened to it, that what he asked was a board of general powers, which he never defined and which he left in general language, with an appropriation of \$300,000,000 to enable that board with its general powers to go on and see whether or not some relief could not be found for agriculture. That was practically the testimony of the Secretary of Agriculture. In some way subsequently, doubtless upon testimony that was given, the \$300,000,000 was raised to \$500,000,000 and appears in the bill with its general board to go forward and find some relief.

It is said to us that we must not under any circumstances put an optional clause in the bill by which some other mode may be carried into effect. Neither logical is it, nor should it commend itself to any Member of the Senate. The question after all is that indicated yesterday, Do we desire and will we put agriculture upon an equality with industry? Do we desire and will we give to agriculture what by the tariff to-day we give unto industry? That, after all, in the last analysis is the great question that must be answered.

In 1912 I took part, sir, in a glorious political adventure, more glorious than any political adventure than had occurred since the birth of the Republican Party. I remember, sir, in the convention that was held in August in Chicago by those who then called themselves progressives of the United States an opening speech, a keynote address made by a very distinguished man who once was a Senator in this body from the State of Indiana, a man of eloquence, ability, and character, who has gone to his reward beyond. I never will forget that keynote. He told in his peculiarly eloquent way the story of

conditions then existing, and he ended with a refrain, a refrain that all that convention took up. His one shibboleth was, "Pass prosperity around."

A great Nation is ours to-day, the greatest in all the world. There is just one part of it, sir, where disaster is met with; just one part of this land where there is not the prosperity that exists in other parts. That one part is found in the agricultural districts of America. They cry aloud to-day to the Congress; they cry aloud to-day to the people of the United States; they ask that they be given only justice in the same measure that we accord it by the tariff to industry throughout the land. They beg of us, sir, to pass prosperity around. I am ready, sir, to pass prosperity around to the farmers of the land as well as to those who live in the city of New York or those who engage in the industries that we foster so well. To-day is the last opportunity of this Congress to pass prosperity around. Shall the cry of the farmer be denied because a promise is made forsooth or the idea prevails that we must not do what some man says we must not do? Pass prosperity around, sir, and let us give, by the only clause that gives it in this bill, prosperity to the farmers of the land and puts them on a parity with industry.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 312) to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 3548. An act to continue, during the fiscal year 1930, Federal aid in rehabilitating farm lands in the areas devastated by floods in 1927;

H. R. 3600. An act to amend section 5 of an act entitled "An act authorizing Maynard D. Smith, his heirs, successors, and assigns to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.," approved March 2, 1929, and being Public Act No. 923 of the Seventieth Congress;

H. R. 3663. An act making appropriations for the payment of certain judgments rendered against the Government by various United States courts;

H. J. Res. 73. Joint resolution to amend the act entitled "An act to incorporate the American Hospital of Paris," approved January 30, 1913;

H. J. Res. 83. Joint resolution to make available funds for carrying into effect the public resolution of February 20, 1929, as amended, concerning the cessions of certain islands of the Samoan group to the United States;

H. J. Res. 86. Joint resolution making an appropriation for the International Red Cross and Prisoners of War Conference at Geneva, Switzerland, in 1929;

H. J. Res. 88. Joint resolution making an additional appropriation for the extension to the post-office building at Corinth, Miss.;

H. J. Res. 91. Joint resolution to provide for the payment of certain expenses of the United States Pulaski Sesquicentennial Commission; and

H. J. Res. 93. Joint resolution amending an appropriation for a consolidated school at Belcourt, within the Turtle Mountain Indian Reservation, N. Dak.

OIL LAND LEASES

Mr. BRATTON. Mr. President, owing to the fact that an agreement has been entered into under which we shall vote upon the conference report on the farm relief bill at 4 o'clock this afternoon, I shall not detain the Senate more than a few minutes in discussion of the matter which I have in mind.

Under date of March 12, 1929, just eight days after the present administration was inducted into office, word came from the White House in this language:

There will be no leasing or disposal of Government oil lands, no matter in what category they may lie, or Government holdings or Government control, except those made mandatory by Congress. In other words, there will be complete conservation of Government oil in this administration.

Mr. President, I desire to say at the outset that I have no complaint to lay against a general policy of conservation as applied to the natural resources of the Commonwealth. On the contrary, I am in general accord with such a policy. But I believe that the policy thus declared by the leader and titular

head of the present administration is unfair and discriminatory in its operation and effect.

The general leasing act approved February 25, 1920, followed prolonged hearings. The controlling purpose in mind in the passage of the act was to bring about and produce the development of those natural resources. The whole scope and object of the act was to that end and was designed to accomplish that result. It is true, Mr. President, that the act vests in the Department of the Interior the power to promulgate rules and regulations to carry the law into effect, but general phraseology of that kind frequently found in acts of Congress means that such regulations must be administered in harmony with the act and to carry it forward rather than to overthrow, destroy, or render the act of Congress inert. If the new policy declared by the present administration brings about a cessation of production and thereby renders the act of Congress inert and impotent, it violates the scope and the purpose as well as the operative effect of the act, and is therefore utterly void. I question seriously whether the announcement as applied by the administration is valid. I seriously doubt the power of an administrative department of the Government going so far under the guise of promulgating and administering rules and regulations as to render inert and impotent a solemn act of Congress.

But aside from the strict, legal aspect of the situation, and addressing myself to it as a matter of policy, I understand that less than 3 per cent of the crude-oil production in the country is produced on Government-owned land. Those lands lie in three or four of the young and relatively impoverished western States. They are making progress. They are making advancement. They are attracting and enticing outsiders to come with their wealth and aid in the development of those Commonwealths. I undertake to say that a policy that restricts and impedes that development as to only 3 per cent of the production of that commodity in the country is unsound, unjust, and discriminatory in its operation and effect.

Mr. KING. Mr. President, will the Senator suffer an interruption?

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from Utah?

Mr. BRATTON. I yield.

Mr. KING. May I say to my friend from New Mexico that it is not quite 3 per cent, but whatever is produced is not sufficient now for the consumptive needs of the States in which it is produced, so that oil will have to be imported into Wyoming, Utah, New Mexico, and other public-land States in order to meet the immediate demands of the people. The President's new and illegal policy not only prohibits exploration upon the public lands, and production therefrom, but the inhabitants in this large section of the United States will be compelled to pay heavy freight rates to bring into their territory sufficient oil, gasoline, and oil products to meet their demands. In that way this policy of the President is playing into the hands of the Oil Trust, into the hands of the Standard Oil Co., and other large producing companies whose income last year was more than \$500,000,000, \$222,000,000 of which went into the pockets of the Standard Oil Co. and its subsidiary organizations.

Mr. BRATTON. I thank the junior Senator from Utah for that contribution to the discussion. When I said that 3 per cent of the entire production of oil of the country is produced upon public lands, I was, of course, speaking in round numbers. I think, to be exact, that it is slightly less than 3 per cent; but, Mr. President, a policy that restricts, impedes, and imperils development as to 3 per cent of the production throughout the country can have no appreciable effect in conserving oil production generally. I assert that conservation should be applied to those portions of the country where oil is produced upon privately-owned lands at least contemporaneously with a policy of restriction upon public lands.

Furthermore, Mr. President, since the act of 1920 became a law a general policy respecting its administration has been evolved and carried forward by the Department of the Interior. Among other things so-called group development was recognized. Application for permits and permits themselves under the so-called group development were recognized and protected by the department. That policy has been followed generally as to production upon public lands. I am told now that under the new policy, following the presidential pronouncement of March 12, permits involved in so-called group development are imperiled and may be canceled, annulled, and not further recognized.

Mr. President, if the department, either by affirmative action or otherwise, has led the holders of such permits into the belief that their rights would be protected, that their permits would be continued, and, relying upon that policy, they have invested their money, expended their wealth, and have placed themselves in that position, in faith of the policy theretofore followed by

the department, it would be unfair and indefensible to change the policy to the detriment, harm, and ruin of those applicants and those permittees. In good conscience, in fair dealing, in recognition of the ordinary rules of business affairs, those persons should not be jeopardized as to their property rights, as to their investments made upon the strength and in faith of the policy previously followed by the Government since 1920 up to 1929. It is in behalf of those people, who have equitable rights even though they have not met the strict letter of the law, that I protest.

Mr. CUTTING and Mr. KING addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from New Mexico yield; and if so, to whom?

Mr. BRATTON. I yield first to my colleague.

Mr. CUTTING. When the President called the conference of the nine chief oil-producing States was it not the impression of my colleague that this matter, among others, would be thoroughly discussed and debated?

Mr. BRATTON. Mr. President, that was my understanding.

Mr. CUTTING. Is it not the principal matter concerned with oil production which interests the Rocky Mountain States at the present time?

Mr. BRATTON. Undoubtedly so, Mr. President.

Mr. KING. Mr. President, will the senior Senator from New Mexico yield to me?

The PRESIDENT pro tempore. Does the senior Senator from New Mexico yield to the Senator from Utah?

Mr. BRATTON. I yield.

Mr. KING. With reference to the statement just made by the Senator from New Mexico concerning equitable rights, the courts have repeatedly held that rights initiated under rules, regulations, and practices of a department were vested, and those enjoying or possessing such rights could not be deprived of them, either by Executive authority or legislative enactment. Under the act of 1920, regulations and rules were promulgated by the Interior Department; these became the basis or the foundation upon which rights were established by persons following the same. In my opinion, where departmental regulations are promulgated, pursuant to authority, rights may be obtained thereunder which are just as valid as if they rested upon some specific statute. Such rights are not only equitable but legal, and, as stated, the possessors of such rights may not be deprived of the same. The order of President Hoover and the orders of the Secretary of the Interior not only attempted to nullify the leasing act of 1920 but the regulations and rules of the department promulgated under the authority of the act. And the orders referred to are not only prospective, but they are retrospective. The American people do not look with favor upon ex post facto laws, nor will they, in my opinion, when they become acquainted with the act of the President and the orders of the Secretary of the Interior based thereon, approve of the same; they will particularly condemn the attempt to apply them retroactively and to destroy property rights and vested interests of thousands of American citizens.

Mr. BRATTON. Mr. President, I do not go so far as does the Senator from Utah in making the positive assertion that such rules are void. I do question their legality, and express grave doubt concerning their validity, but, conceding them to be valid, I assert that those persons who have invested money upon the strength of the policy, rules, and regulations promulgated and carried forward by the Department of the Interior since the general leasing act of 1920 became effective should not be jeopardized and deprived of their holdings and their investments as the result of a new policy declared without warning to those persons.

I join my colleague in expressing the belief that this is one feature, if not the major feature, of the problem to be discussed, and doubtless now being discussed, at the conference now in progress at Pueblo. I hope, Mr. President, that the conferees there, including those representing the Government and those representing the several States participating in the conference, will recognize the gross and grave injustice which would be visited upon these holders if their investments should be taken away or jeopardized as the result of a new policy prepared without previous notice and virtually given retroactive effect.

Mr. KING. Mr. President, will the Senator suffer another interruption?

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from Utah?

Mr. BRATTON. I do.

Mr. KING. We hear a great deal about the policy of the administration. I had supposed that under our form of government, this being a government of law, the executive department was to execute the law and its policy was to carry out the legislative will. This constant talk about the President's

policy or the policy of a department is repugnant to democratic institutions and to our form of government. What right has the President to have a policy with respect to the oil lands of the United States? Under the Constitution of the United States Congress alone has the power to dispose of and make all needful regulations respecting the public domain; and when it is said that the President has a policy; that the President can nullify a law; that the President can pursue this policy or that policy, I wonder where the authority is; I wonder if we are not projecting ourselves into past ages, reviving old, worn-out customs and policies and principles and seeking to give to the President of the United States dictatorial authority instead of considering him merely as the executor of the law.

Mr. CUTTING. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to his colleague?

Mr. BRATTON. I yield to my colleague.

Mr. CUTTING. I do not wish to interrupt my colleague's speech, but I hope before he concludes he will also discuss the type of coercion which is threatened against certain States if they do not give in and comply with the program laid before them.

Mr. BRATTON. Mr. President, I will address myself to that phase of the subject now. It is directly relevant. The interview appearing in to-day's press, which has already been inserted in the RECORD at the request of my colleague, coming from Mr. Requa at the Colorado Springs conference, is easily susceptible of being interpreted as a direct threat of coercion against several States if they shall fail to conform to the new policy. Mr. President, if that is the purpose of it, and that is what he had in mind, I desire to say in behalf of one State participating in the conference, the State which I have the honor of representing in part in this body, that it will not serve its purpose. Regardless of what else may be taking place in this country, the time certainly and surely has not come when a sovereign State can be coerced into surrendering a part of its heritage or any part of its industrial development. I protest against any form or any phase of such coercion against one of the sovereign States of the Union. I join my colleague in saying that the interview easily bears that interpretation. I so construe it; I emphatically repudiate it.

It is my belief, Mr. President, that the public lands should be ceded to the several States in which they are situated. I have heretofore expressed that view on the floor of the Senate; I shall not engage in a discussion of it at this time; I think it is unfair as among the several States of the Union to permit some of them to exercise sovereignty and dominion over all the lands within their exterior boundaries and deny that right to other States. I have introduced a bill to cede the public lands to the several States and shall address the Senate later in behalf of that measure.

However, that question aside, I earnestly assert on behalf of the State which my colleague and I represent in this body that any type or form of coercion will be ineffective so far as the people of our State are concerned.

Mr. President, I ask unanimous consent to have inserted in the RECORD at this point an article by Dr. George Otis Smith, Director of the Geological Survey, which appeared in the May issue of *The Nation's Business*, wherein the policy is reviewed, the history of the act as administered up to that time is carefully explained, and the effect which the conservation policy will have upon production in the several States is discussed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The article is as follows:

[From *The Nation's Business*, May, 1929]

WHAT THE NEW OIL POLICY MEANS

By George Otis Smith, Director United States Geological Survey and former president American Institute of Mining and Metallurgical Engineers

"There will be no leases or disposal of Government oil lands, no matter in what category they may lie, of Government holdings or Government controls, except those made mandatory by Congress. In other words, there will be complete conservation of Government oil in this administration."

This statement issued at the White House March 12, less than 10 days after his inauguration, defines what may reasonably be expected to become the Hoover policy on oil.

Let us examine this policy to determine just what it means, physically applied, how it will affect production of oil from Government lands, and what, if any, will be its influence on private oil exploitation.

Permits to prospect for oil on Government land and leases of this land for development have hitherto been issued under the mineral leasing law passed by Congress February 25, 1920. Between that date and June 30, 1928, the end of the fiscal year, 197,000,000 barrels of oil

were produced from public lands under Government lease and permit. For the fiscal year 1928 some 23,000,000 barrels were produced.

OVERPRODUCTION WILL CEASE

The President's decree will have small immediate effect on this production. However, the best time to stop production is before the wells are drilled, and to this root of the tree of overproduction the President has laid his ax.

Immediately after his statement was issued, Secretary of the Interior Wilbur instructed all local land offices, through the Commissioner of the General Land Office, to receive no further applications for permits to prospect for oil and gas on the public domain and to reject all applications now pending.

This means that the 4,500 permits to drill in Federal fields usually issued annually will be withheld. It means, further, a considerable thinning out of the 20,000 oil and gas permits now outstanding. Secretary Wilbur has appointed a committee of three to pass on these permits and recommend which should be canceled.

On this committee are Edward C. Finney, Solicitor of the Department of the Interior; William Spry, Commissioner of the General Land Office; and myself. To handle the question of permit reviews expeditiously, the department has drawn up an outline of general procedure, the high lights of which are:

"Representative cases may be recommended for public hearing before the Secretary of the Interior to determine lines of policy. Those in good standing will not be proceeded against as long as their terms are met. Those not involving expenditure of money in development work will be denied by the General Land Office.

"The General Land Office will hold for cancellation, allowing 15 days in which to show cause, all permits on which there is no prima facie evidence that money has been spent in development work. The Geological Survey will report to the Secretary the likelihood of oil and gas drainage of Government lands in various producing and wildcatting fields where claim of drainage is made."

This examination will stop future operations on permits that have earned no right to continue and, as a corollary, will make a later lease obligatory if oil is discovered.

It does not mean stoppage of leases on Osage Indian lands. By act of March 2, this year, these leases continue at the rate of 25,000 acres annually. Previously the figure was 100,000 acres annually.

By retarding development on public lands, the President has pointed the way to make control of excess oil production only a matter of time. Existing wells will decline in productivity and, without additional drilling and discovery of new fields, the balancing of supply and demand will be comparatively easy.

Already the California oil companies are cooperating with the Government to hold back development of the newly discovered and very rich Kettleman Hills field. This move is probably the most promising item in the new program.

OIL INDUSTRY SEES SAVINGS

We are now producing each year millions of barrels more oil than we consume. At present speed, judging from geological data, it will be all too soon that the Nation's oil supply will be exhausted. The present storage of half a billion barrels of crude oil in steel tanks involves an expense that a poorer industry could not carry and the oil industry itself now realizes that it needs to reduce its inventories.

The private industry's reaction to the President's order is already to be seen in recommendations of the American Petroleum Institute's committee on world production and consumption of petroleum and its products. This committee, headed by R. C. Holmes, president of the Texas Oil Co., recommended a return, April 1, to the 1928 production basis, and the institute's directors adopted that report March 27 in New York.

The total production for 1928 was 902,000,000 barrels, a daily average of 2,450,000 barrels. The daily average in March, 1929, was about 2,645,000 barrels. The proposed action, then, will cut the daily average production nearly 200,000 barrels, but it is claimed without causing any shortage whatever in gasoline.

President Hoover's action with respect to Government oil may, by calling attention to the need of conservation, lead to a more rigid program for all resources.

NATURAL RESOURCES SHRINK

Of his once vast domain, Uncle Sam had left in 1928, aside from the national forests, parks, and like reserves, only 193,847,240 acres of public land in the States and something more than 3,500,000 acres in Alaska. The greater portion of this land in the States lies in the West.

The natural resources of these lands are estimated by the Interior Department to include 30,000,000 acres of coal lands containing more than 200,000,000,000 tons of coal; half a million acres of phosphate land that can supply 8,000,000,000 tons of this essential fertilizer as its needs on American farms is better realized; undetermined acreage of potash deposits; 65 developed oil and gas fields with an annual production of 33,000,000 barrels of oil; and 4,000,000 acres of oil shale from which possibly 60,000,000,000 barrels of oil can be extracted when prices warrant the higher cost.

Further than this, the Government has retained the mineral rights to about 19,000,000 acres of land patented under the stock raising law. Specific mineral rights have been retained in 11,750,000 acres.

Broadly, the Government's policy in recent years, traced by legislative acts, is to retain the ownership of public oil lands and to permit their development as to resources through permit and lease. To carry out this policy efficiently the Geological Survey for 20 years and more has been making an intensive survey of Government lands and resources. A great portion of the public lands containing valuable timber have been withdrawn and incorporated in our national forests under the administration of the Forest Service. Other natural resources have been classified under separate heads and given the attention they deserve in the public interest.

The rest of the country needs to count as national assets these resources of the great Western States. The sane and safe development of our natural resources constitutes building for the future.

That a halt in oil production means the study of other items in the public estate and the more intense application of conservation of our other natural resources is a foregone conclusion.

Mr. BRATTON. Likewise, Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article which appeared in the New York Tribune of May 2, 1929, dealing with the subject of the production of crude oil throughout the country.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The article is as follows:

[From the New York Tribune, May 2, 1929]

OIL PRODUCTION IN MARCH SETS RECORD FOR UNITED STATES—82,515,000 BARRELS OUTPUT WITH GASOLINE AHEAD OF SIMILAR PERIOD OF 1928—TEXAS PETROLEUM LEADS—CONSUMPTION OF "GAS" GAINS ALSO, MINES BUREAU SAYS

WASHINGTON, May 1.—Production of crude petroleum in the United States in March broke all records for any month, totaling 82,515,000 barrels, a daily average of 2,662,000 barrels, according to reports the Bureau of Mines made public to-day. While the total for the month was greater than for any other similar period, the daily average was below that of February, when 2,703,000 barrels per day were produced, the difference being accounted for in the increased number of days during March.

The daily average gasoline production in March showed a slight decline, as compared with February, but was 18 per cent above that of March, 1928. Gasoline consumption showed a material increase, rising from a daily average of 813,000 barrels in February to 919,000 barrels in March, a gain of 13 per cent.

Stocks of gasoline again showed an increase, but this was considerably below the average increase for the last several months. On March 31, 1929, stocks of gasoline amounted to 47,205,000 barrels, which at the current rate of total demand represents 44 days' supply, as compared with 48 days' supply on hand a month ago and 45 days' supply a year ago.

Of the three leading producing States, California, Texas, and Oklahoma, Texas alone recorded an increase in daily average of crude petroleum in March. This resulted in the main from increased output of the Salt Flat field. Daily average production in California showed a decrease, which was largely due to the decline at Santa Fe Springs. Oklahoma showed a material decline in daily average production, this being due to a more or less general curtailment throughout the State.

Stocks of crude petroleum east of California continued to increase, but at a much reduced rate as compared with February. The increase in stocks east of California was approximately 2,700,000 barrels, of which more than half was in refinery stocks. Stocks of light and heavy crudes in California increased nearly 3,500,000 barrels, the major portion of which occurred in the light grades.

The reduction in daily average crude production with a consequent lessening in the amounts of crude oil going to storage was reflected in the change in stocks of all oils, which in March increased at a slower rate than in February. Another factor which operated to reduce the amount of oil going to storage was the increase in gasoline consumption, although this was practically nullified by the opposing factor of decreased fuel-oil consumption.

Mr. BRATTON. Mr. President, in conclusion let me say that I think the new policy of conservation is sound if it is administered with due regard to the economic conditions existing throughout the country, including the public-land States; but I protest against a policy that restricts, impedes, and thwarts development in a few of the western public-land States wherein less than 3 per cent of the entire crude oil of the country is produced. It will have no measurable effect upon the production throughout the country; it will bring about no appreciable improvement in the condition throughout the country; in other words, Mr. President, it will help nobody very much, but it will harm greatly three or four States, New Mexico being among

them. It is against that sort of thing that I direct the attention of the Senate.

FARM RELIEF—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1) to establish a Federal farm board to promote the effective merchandising of agricultural commodities in interstate and foreign commerce, and to place agriculture on a basis of economic equality with other industries.

Mr. COPELAND obtained the floor.

Mr. McNARY. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. COPELAND. I yield.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	King	Shortridge
Ashurst	George	La Follette	Simmons
Barkley	Gillett	McKellar	Smith
Bingham	Glass	McMaster	Smoot
Blease	Glenn	McNary	Steak
Borah	Goff	Metcalf	Stelwer
Bratton	Goldsborough	Moses	Swanson
Brookhart	Greene	Norbeck	Thomas, Idaho
Broussard	Hale	Norris	Thomas, Okla.
Burton	Harris	Nye	Townsend
Capper	Harrison	Oddie	Trammell
Caraway	Hastings	Overman	Tydings
Connally	Hatfield	Patterson	Tyson
Copeland	Hawes	Phipps	Vandenberg
Couzens	Hayden	Pine	Wagner
Cutting	Hebert	Pittman	Walcott
Dale	Heflin	Ransdell	Walsh, Mass.
Deneen	Howell	Reed	Walsh, Mont.
Dill	Johnson	Robinson, Ark.	Warren
Edge	Jones	Sackett	Waterman
Fess	Kean	Schall	Watson
Fletcher	Keyes	Sheppard	Wheeler

Mr. SCHALL. I desire to announce that my colleague [Mr. SHIPSTEAD] is still ill.

The VICE PRESIDENT. Eighty-eight Senators having answered to their names, a quorum is present.

Mr. COPELAND. Mr. President, with the exception of the Senator from Idaho [Mr. BORAH], I suppose I have had more criticism passed upon me for being for the debenture plan than anybody else in the Senate. Practically every newspaper in New York City has ridiculed my position. I have no fault to find with this criticism. It is the right of every man in public life, whether in a legislative body, in official position, or as a molder of public sentiment, to express an opinion if he has one. I am satisfied, however, that many criticisms that have been passed have been uttered by persons who know very little about the subject.

I had a telegram this morning reading:

Respectfully hope you will stop playing politics and vote to-day according to your conscience.

Possibly I can not convince this man that I am not playing politics; but I assure the Senate that I am going to vote according to my conscience.

There have been many disagreeable things in the press about Members of the Senate who have seen fit to favor the debenture. We have been accused of playing politics—"peanut politics"—at the expense of the American farmer.

Mr. President, I want to say this: While I have no fault to find with those persons who pass criticism, I want it understood by the country that I know of nobody on this side of the aisle who has taken a position with reference to this bill with the purpose of embarrassing the President. I know of no such person. Of course, there is only one man that any given individual can know—only one man whose thoughts he can measure. Every man knows himself and knows nobody else. So far as I am concerned, however, I have no desire to embarrass the President; I am not playing politics; and any intimation to the contrary, as was said yesterday, is a cowardly insinuation. Any such intimation is one that might come, false as it is, from the blackest depths of hell.

Mr. WALSH of Massachusetts. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. COPELAND. I yield to my friend.

Mr. WALSH of Massachusetts. I dislike to interrupt the Senator. I know his time is limited.

On several occasions it was stated to me that the leader of the Democratic side of this Chamber was proceeding to bring about a condition in this body which would result in embarrassing the administration by having both farm relief proposals defeated. My reply was that a farm relief bill would pass

the Congress in a few hours if one thing was done by the administration, namely, to have a record vote on the debenture plan taken in the House of Representatives. I said that I had heard the leader of this side of the Chamber again and again make the statement that he only wanted a record vote on the debenture plan in the House. There is no effort here to embarrass in any way the passage of some kind of a farm relief bill.

I just want to add this thought, as one who is opposed to both the debenture plan and the House bill: Instead of this movement being antagonistic to the President or partisan, my observation has led me to believe that rarely has there been a measure in this body that had behind it more of the spirit of crusaders than that motivating those supporting the debenture plan. Now, I disagree with those who advocate it; I think their principle is dangerous, and I am opposed to it; but I must frankly and fairly state, and I repeat what I said, that I have seen more of the spirit of the crusader on the part of the men advocating this measure than I have seen in the case of almost any other measure in this body during recent years. The country should realize this and not think the opposition is actuated by unworthy motives.

Mr. COPELAND. I thank the Senator for what he has said. A moment ago I expressed my own attitude of mind. I want to say further, that my contacts with my colleagues on this side of the aisle and with Republicans who have decided to vote for the debenture, indicate to me that every man is driven by a desire to serve the country.

Talk about embarrassing the President! I want to say that our effort is not to embarrass the President, but to keep from embarrassing the farmers. Unless we can pass a farm relief bill that will have in it the hope of some replenishment and continued replenishment of the fund, the money proposed to be made available will be frittered away, utterly lost, and no permanent relief brought to agriculture.

That is the reason why those of us who have taken this stand are taking it. For myself, as I said the very first day the bill was up, I would prefer the equalization fee. I think the bill brought in by the distinguished Senator from Oregon with the equalization fee in it, a bill for which I voted twice, and voted to pass over the President's veto, was an ideal bill, but there are great lawyers in this body who say that the fee provision is unconstitutional and that that way is not a suitable way to replenish the fund.

Because it is impossible to have the equalization fee, which, as I have said, I regard as a better plan, I stated, and I repeat, that I vote for the debenture "holding my nose," meaning that I do not like that particular way of replenishing the fund. But since there is no better way, I am glad to vote, and shall vote this afternoon as I did on the other occasion.

Both the political parties promised agricultural relief. Yesterday the Senator from Idaho [Mr. BORAH] pointed out the position taken by the Republican Party. It is practically identical, as far as I can see, with the position taken at the Democratic convention by my party. I find in the Democratic platform this language:

Farm relief must rest on the basis of an economic equality of agriculture with other industries. To give this equality a remedy must be found which will include, among other things:

(a) Credit aid by loans to cooperatives on at least as favorable a basis as the Government aid to the merchant marine.

The following is the thing I had particularly in mind:

(b) Creation of a Federal farm board to assist the farmer and stock raiser in the marketing of their products as the Federal Reserve Board has done for the banker and business man. When our archaic banking and currency system was revised after its record of disaster and panic under Republican administrations, it was a Democratic Congress in the administration of a Democratic President that accomplished its stabilization through the Federal reserve act creating the Federal Reserve Board with powers adequate to its purpose.

Then the platform goes on:

Now, in the hour of agriculture's need, the Democratic Party pledges the establishment of a new agricultural policy fitted to present conditions.

I want to call attention to that language. The delegates were satisfied that no satisfactory proposal, no plan, had been devised to give adequate agricultural relief. Because of that feeling on the part of the delegates the convention said:

Now, in the hour of agriculture's need, the Democratic Party pledges the establishment of a new agricultural policy fitted to present conditions, under the direction of a farm board vested with all the powers necessary to accomplish for agriculture what the Federal Reserve Board has been able to accomplish for finance, in full recognition of the fact

that the banks of the country, through voluntary cooperation, were never able to stabilize the financial system of the country until Government powers were invoked to help them.

I submit, Mr. President, that unless the proposed farm board shall have powers similar to those conferred upon the Federal Reserve Board, it can not succeed. It must have a way of replenishing the fund; otherwise the money will be wasted, as I shall mention again in a few moments. So the platform says that to give this equality a remedy must be found, and farm relief must rest on the basis of an economic equality of agriculture with other industries.

Is there such a basis? We know there is not. There is no such basis. The farmer is the victim of the protective tariff system as it is applied at the present time. Everything he buys has increased in price by reason of the tariff. The farmer is the only man left in the open field of competition. He sells in a world market, but practically everything he buys under the present law is enhanced in price because of the tariff.

Let me say this, further, when the tariff bill which is pending now in the Congress shall be passed, the farmer will be infinitely worse off than he is at present.

Congress was called in special session for the ostensible purpose of aiding the farmer. Every Senator knows that if there had not been a tariff revision in prospect there never would have been an extra session of the Congress. It was mere camouflage to state that the Congress was called in special session to help the farmer, and the proof lies in the fact that in the tariff bill which comes to us from the House—

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. COPELAND. In a moment. For every dollar agriculture benefits, agriculture will pay \$3 more by reason of the increased prices which will be the result of that bill.

Now I yield to the Senator from Kansas.

Mr. ALLEN. I was merely attracted by the statement of the able Senator from New York that the reasons given for the special session were camouflage of the desire for a tariff bill. I want to ask the Senator from New York if he read the President's message upon the subject of the special session?

Mr. COPELAND. Yes; I read the President's message.

Mr. ALLEN. I ask if he recalls the fact that the President in calling the session said that he hoped the revision of the tariff would be limited to those articles in the farm schedule which obviously needed revision?

Mr. COPELAND. I hope that the President is not so innocent as the Senator from Kansas.

Mr. ALLEN. May I understand a little more clearly, then, if the Senator is insinuating that the President gave us a message in which he was insincere?

Mr. COPELAND. I think the President really wanted to limit tariff action. I think he now wants to limit it, and if he has sufficient force back of him to control the Republican Senators he will have the kind of a tariff bill suggested by the Senator from Kansas. But the Senator from Kansas is extremely innocent, if I may say so, if he thinks the reactionary Senators on the other side are going to submit to a tariff which will be limited to a few articles. The Senator from Kansas surely knows what is really going to happen.

Mr. ALLEN. Mr. President, will the Senator from New York regard it as ill-natured on my part if I use the same words upon him which he used on me yesterday, to the effect that that is a "cowardly insinuation"?

Mr. COPELAND. Mr. President, I heard what the Senator from Kansas said yesterday, and I heard what he said to-day. I want to say to the Senator from Kansas that the charge he made against us was that we were playing politics, and the answer given to him was that that was a cowardly insinuation. I repeat it.

But I want to ask the Senator whether he favors the tariff bill as it comes from the House?

Mr. ALLEN. Before I answer that question, which I will be very glad indeed to answer, I want to say that I made no statement yesterday to the effect that the Democratic side was playing politics. I merely read, in answer to the able Senator from Idaho, the conclusion of the press upon that subject, and I did not know the point was so tender, or I think I should have abstained from that.

Mr. COPELAND. I assume the Senator is apologizing now.

Mr. ALLEN. Yes. That is fine. Touching the subject of the tariff bill as it comes from the House, I am not in favor of the tariff bill as it comes from the House.

Mr. COPELAND. I congratulate the Senator—

And while the lamp holds out to burn,
The vilest sinner may return.

I think I may say to the leader on our side, and to the progressive Republicans, that we have another convert.

Mr. ROBINSON of Arkansas. Another "pseudo-Republican." Mr. COPELAND. Of course the Senator makes himself a "pseudo-Republican."

Mr. BRATTON. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. BRATTON. I think the Senator from Kansas referred to them yesterday as "nonconformists." I assume that to be the same as "pseudo-Republicans."

Mr. COPELAND. I take it that those terms are synonymous. Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. ROBINSON of Arkansas. In view of the condemnation which the Senator from Kansas has just expressed of the tariff bill as it passed the House of Representatives, it would be interesting to know why he is opposed to the bill.

Mr. COPELAND. Yes; I think it would be. I will yield to the Senator from Kansas to answer the question.

Mr. ALLEN. I am opposed to it because—

Mr. ROBINSON of Arkansas. Will the Senator from New York yield further?

Mr. COPELAND. I yield.

Mr. ROBINSON of Arkansas. Does the Senator consider himself a "nonconformist" or a "pseudo-Republican" because he is opposed to the bill as it passed the House of Representatives?

Mr. ALLEN. I think not yet.

Mr. ROBINSON of Arkansas. The Senator, then, is anticipating passing into that stage where he will admit himself to be either a "pseudo-Republican" or a "nonconformist." I welcome him to the list.

Mr. ALLEN. I wish to shade the Senator's meaning. I am anticipating the possibility of it.

Mr. ROBINSON of Arkansas. Yes. Will the Senator be disappointed if I announce that we are anticipating the probability of it?

Mr. ALLEN. Of course, the Senator must admit that there is a difference in the viewpoints.

Mr. ROBINSON of Arkansas. The viewpoints seem to be pretty close together.

Mr. KING. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. KING. May I say, with all good feeling, to my friend from Kansas, that if he will study the record of his party in the formulation of tariff bills, he will find that, no matter how oppressive and unwise such measures were when they reached the Senate, and no matter how much they exploited the people, the trusts and monopolies and special and favored interests usually got in their work more effectively in the Senate, so that the bills, when they emerged from the Senate, were infinitely worse than when they passed the House. The Senator, I think, will have to join with these Senators who believe this Hawley bill to be unsound and unjust if he expects any improvement in the same. This measure is now before the Committee on Finance of the Senate, and an army of interested persons are invading Washington in order to secure higher rates and greater opportunities to exploit the people.

Mr. ALLEN. Permit me to say that I do not share the gloom of the Senator from Utah upon that subject. I have seen some very excellent improvements made in legislation upon the floor of the Senate. I have also heard the general statement which the Senator from Utah has made touching tariff making. I have heard it for a good many years. I have heard it in every campaign, and I have noticed that in practically every campaign the people have decided that the Senator from Utah is mistaken in his philosophy.

Mr. KING. I need only invite the attention of the Senator to the almost universal condemnation of the Fordney-McCumber bill in the reputable, high-minded, and independent Republican press of the United States. I invite the attention of the Senator to the statement of one of the ablest Republicans who has ever been in this body, one beloved by all, former Senator Knute Nelson. He stated that the Fordney-McCumber bill as it came from the Finance Committee of the Senate was in the interest of trusts and various manufacturing interests; that their representatives came here with their little black bags and went into the committee room; that they knew what they wanted, and got what they wanted. If time permitted, I could present to the Senate hundreds of statements from the leading Republican newspapers and from outstanding Republican leaders in which they condemned the tariff measures which have been enacted by the Republican Party.

Mr. BRATTON. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from New Mexico?

Mr. COPELAND. I yield.

Mr. BRATTON. The Senator from Kansas, if I may have his attention, stated a while ago in a serious moment that he is opposed to the tariff bill as it came to us from the House. I should like to have the Senator tell us briefly why he is opposed to the bill.

Mr. ALLEN. In the beginning I think there was no occasion for a general revision of the tariff. I came here in favor of a limited revision of the tariff in the agricultural schedules, making tariff legislation incidental to the program of farm legislation.

Mr. COPELAND. Mr. President, I fear I am in danger of losing the floor.

The VICE PRESIDENT. The Senator from New York has a right to yield, but not for speeches. The Chair calls attention to the fact that the time for debate on the conference report is limited.

Mr. COPELAND. I am glad to yield for a question, but not for a speech. I would like to say to the Senator from Kansas, since he has admitted that he is out of sympathy with the tariff bill as it came from the House and apparently thought it would be wise to do something for the farmer, that the Republican Party has fooled the farmer through a generation. It has pretended to be a friend of the farmer. In spite of this alleged friendship we are importing into this country two or three billion dollars' worth—I do not say millions, but billions—two or three billion dollars' worth of farm products, agricultural products, products that could be raised on the farms of America and which are being brought in because of the failure of the Republican Party to enact suitable tariff legislation. I am not saying that personally I would favor a tariff which in effect would be an embargo upon any of those products, but I simply want to present the fact, because it is a fact that we are bringing in those two or three billion dollars' worth of products which could be raised upon American farms had the Republican Party been alert to its responsibility. It has been the farmers' party, but it has not been faithful to its duty.

These imported products, I think it is safe to say, could be grown in the United States and would create a demand for a million American farms. I have seen figures pointing out the sad condition of the farmer, the income which he might receive from products now raised abroad, figures showing that 75,000,000 acres of American lands are left unplowed because of the importation of those products.

It is easy to say "75,000,000 acres." How much land is that? All of the wheat acreage of the United States, in every State of the Union, amounts to but 50,000,000 acres, and yet we are bringing in products to grow which we could duplicate those 50,000,000 acres. Twenty-five million acres besides could be added to the number of acres under cultivation raising the products which are now imported. The Republican Party is not taking care of the farmer by affording him something more than the mere necessities of life. He has not been given proper assistance. He has been fooled every time before election, has voted the Republican ticket and then been laughed at ever afterwards, and that is what will happen now.

I want to speak about the debenture. Why do we need a way to replenish the revolving fund?

We are proposing to give the farm board \$500,000,000. To the average citizen that seems so much money that he may imagine it will never be used up, but that is not the experience of Government bodies. This money will gradually disappear.

Why do I say that it will disappear? Why do I make the positive statement? Let us analyze it.

For what purpose is the money going to be used? In the first place there will be, so far as wheat is concerned, increased elevator service. I am told by informed persons that there are not elevators enough now to take care of the crops, that there is a limited capacity in those elevators. So a part of this money will be used to build more elevators to take care of more grain. In my judgment that would be helpful to the farmer, because it would permit the stabilizing corporation or other agency of the farm board to distribute to the public the grain needed to feed the people, to release it from the elevators as the requirements of the country dictated. There would be, in other words, orderly marketing.

But what about the surplus? What is going to become of the surplus? We raise in this country about 800,000,000 bushels of wheat, and we require about 600,000,000 bushels a year for domestic consumption for feeding the people. We have an average of about 200,000,000 bushels of surplus wheat. To preserve the domestic price any time there is a slump, as there has been through the past several days in the Chicago market, the cor-

poration will go into the market and buy. It will buy in order to maintain the price, and of course ultimately it will buy the surplus. Unless the farmer is to be cheated and robbed and disappointed he will be getting under the operation of this plan a greater price than he would get without the bill. But all the time in those great elevators which have been built there will be stored up 100,000,000 to 200,000,000 bushels of surplus wheat which must be disposed of in some manner.

Mr. ALLEN. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Kansas?

Mr. COPELAND. I yield.

Mr. ALLEN. Does the Senator from New York know how much of surplus wheat is stored in the New York elevators at this time?

Mr. COPELAND. I understand we have in the elevators of the country at this time 250,000,000 to 300,000,000 bushels.

Mr. ALLEN. Does the Senator believe that the 21 cents per bushel should go to those elevators upon the surplus wheat they are holding?

Mr. COPELAND. I am glad the Senator asks me that question. I am very much obliged to him. I forgive him for all the past.

Mr. ALLEN. I thought that was a subject which had escaped the Senator's mind.

Mr. COPELAND. I can see no reason why those men who are seeking to profit by the farmer's necessity and who bought this wheat and stored it and are holding it now in the elevators should profit by the new law. I wish the Senator from Oregon [Mr. McNARY] might have introduced an amendment to his bill which would prevent that sort of thing. I do not think the men who are now in the position of being caught holding the bag—and I believe that is a good phrase to apply to them—should benefit. I will say that much to the Senator from Kansas. I am not interested in them, but I am interested in the 200,000,000 bushels of surplus wheat that we will have out of the coming harvest and that we will have next year and the year after. I think that is a full answer to the Senator's question. If it is not, I shall be glad to amplify it.

But after the expected surplus wheat is purchased, disregarding that surplus wheat now in the elevators, what is going to be done with it? What are we going to do with the 200,000,000 bushels of surplus wheat a year and the surplus of the other crops? We are going to sell them to the world just as we do now, and as the world's agricultural lands increase in acreage and in production it will become more and more difficult to take care of the surplus crops raised in America. I have not any question about it.

The Senator from Kansas the other day was talking about the crops from Canada. With her more fertile lands, cheaper labor, and lower railroad rates, that competition alone would materially reduce the sale value abroad of American wheat. That is another problem.

In the nature of things, the farm board having bought up 200,000,000 bushels of surplus wheat in excess of any possible consumption in America, must sell it for what it can get, and that means a loss. That loss comes out of the fund. It is only a question of time, long or short, when that fund will be exhausted. I do not think any person can successfully refute that argument.

It is the farmer we are seeking to save; we are going to raise the price to the producer at home; we are not engaged in an effort to crowd the farmer down, as the middlemen do now, but we are going to give the farmer a higher price. In doing this the corporation will have no opportunity whatever to engage in the buying and selling of domestic wheat at a profit, and when it comes to export wheat, of course, it will be sold at a loss and at an increasing loss as the time goes on. So the fund will be exhausted and dried up, and in time there will not be any fund which may be used under the operation of the bill as it comes to us from the other House.

Mr. KING. Mr. President, will the Senator from New York yield to me?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Utah?

Mr. COPELAND. I do.

Mr. KING. If I understand the Senator from New York, he is criticizing the bill without the debenture feature?

Mr. COPELAND. Yes, sir.

Mr. KING. And he bases his criticism, in part, upon the conclusion which he reaches from an examination of the measure that it will utterly fail to be of any advantage to the farmer; that the \$500,000,000 will soon be lost and wasted and consumed in extravagant expenses in the operation of a stupendous machine, which will be built up and manned by from 15,000 to 20,000 employees, so that at the end of a few years the Treasury

will be asked to make a larger appropriation, perhaps of \$250,000,000 or \$500,000,000, and so on ad infinitum?

Mr. COPELAND. I thank the Senator.

Mr. KING. I think the Senator's diagnosis of the situation is absolutely correct.

Mr. COPELAND. Some of us have been criticized by the press, as I have been by the New York press. The press finds fault with the debenture because of its being, as they say, a raid on the Treasury, and I am going to refer to that in a moment; but the press forgets, as the Senator from Utah has brought out, that if there is no way of replenishing the fund when it is used up, the farm board is coming back and asking for a direct appropriation. So, in the last analysis, what difference does it make to the taxpayer whether there is an orderly and permanent arrangement for replenishing the fund, or whether the Appropriations Committee of the Senate and the Appropriations Committee of the House of Representatives shall recommend the appropriation of more money to replenish it, for it must be replaced if it is to do the work contemplated? If the debenture plan shall be retained in the measure there will be a means of constant renewal of the fund from the collection of the debentures.

Mr. TYDINGS. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Maryland?

Mr. COPELAND. I yield to the Senator from Maryland.

Mr. TYDINGS. I do not know whether the parliamentary situation will permit, but I should like to say to the Senator from New York that if the debenture plan shall not be incorporated in the bill, and if the situation presented before the Senate will permit, I intend to vote against the bill, because, without the debenture plan, there will be nothing but extravagance, bureaucracy gone mad, and a raid upon the Federal Treasury to the extent approximately of a half billion dollars. The only reason I would vote for the bill at all would be because the debenture plan was in it; and if that shall be taken out, and I have the opportunity, I shall vote against the whole proposition.

Mr. COPELAND. I thank the Senator from Maryland, and I shake hands with him across the Chamber. So far as I am concerned, I would not vote for this bill in a thousand years unless it should have in it some means of replenishing the fund. I am absolutely with the Senator from Maryland in that respect.

Mr. VANDENBERG. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Michigan?

Mr. COPELAND. I yield.

Mr. VANDENBERG. Will the Senator explain to me in what way the debenture will replenish the fund?

Mr. COPELAND. Yes; I shall be very glad to do so.

Mr. VANDENBERG. I should welcome the information.

Mr. COPELAND. I will give it to the Senator in just a moment. I wish to express just one other thought, and then I will come to the Senator's question.

In the very nature of the operation contemplated by the House bill the farmer will benefit by the procedure so long as the corporation has any money left, but unless there shall be some means of replenishing the fund, sooner or later it will be exhausted.

Now, we come to the question asked by my genial and distinguished friend from Michigan: How will the fund benefit by the debenture? I am glad the Senator has asked that question, not alone that it is an important one and should be answered but because of a statement so often made in various editorials. I thought I had one here, but that does not matter. The idea is that the poor farmer out in Michigan—of course, there are no poor farmers in Michigan, but a farmer somewhere who is a poor farmer—will sell his hundred bushels of surplus wheat and collect \$21. Of course, that is not the way it is going to be done. The surplus wheat is going to be purchased by the farm board or one of its agencies or its agency, so when the wheat is shipped abroad a little debenture slip will not be sent to John Jones at Whitmore Lake, or to Bill Brown at Wolf Lake, but the debenture will go to the farm board; that is what will happen. That is a Government agency.

Mr. VANDENBERG. The Senator means the stabilization corporation?

Mr. COPELAND. The farm board or one of its agencies, such as the stabilization corporation. It will receive the debentures. That is a Government body; it will have its connections with the Treasury and work in cooperation with the Treasury, and the debentures will be handled by the farm board or its agency.

The debentures will be divisible into small units. There are any number of brokers who will be glad to handle them. A New York banker was in my office yesterday and said: "I will

gladly take debentures at a reduction of 1 cent on the 21 cents"—a 5 per cent reduction—"and I will sell them at a profit, because the importers will be very glad to save 2 or 3 or 4 per cent in the payment of their import duties."

That is a point I want to make clear to the Senator and I want the country to know it. The debentures in the very nature of things are not going to go to the individual farmer. He is going to be taken care of through the cooperatives and the stabilization corporation. He will get his increased price at home and the corporation will take the \$200,000,000 worth of exportable wheat and receive the debentures. If the Government agency receives 20 cents—that is, 21 cents, less the cost of handling—on every bushel of wheat exported, that means a home price of 20 cents more to the farmer who sends his wheat to Europe through his cooperative and through the stabilization corporation.

Mr. VANDENBERG. Mr. President, will the Senator permit me to interrupt him further?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Michigan?

Mr. COPELAND. I yield.

Mr. VANDENBERG. Does that conclude the Senator's explanation of how the fund is to be replenished under the debenture plan?

Mr. COPELAND. I was going to amplify it somewhat; but what does the Senator have in mind?

Mr. VANDENBERG. I fail to understand how the Senator has yet indicated how the original Federal farm board fund of \$500,000,000, which he anticipates will be depleted and exhausted, is to be replenished through the operation of the debenture plan.

Mr. COPELAND. What will become of the proceeds of the sale of the debentures? What will become of them in the opinion of the Senator?

Mr. VANDENBERG. The Senator has just indicated that the advantage of the debenture will go to the farmer. Under his theory how is the fund to be replenished from the debenture, as the Senator is constantly reiterating that it will be?

Mr. COPELAND. On every bushel of wheat exported there is a debenture given of 21 cents. Is not that correct? Through the agency of the board that 21 cents debenture will be disposed of and go back into the corporation to replace that amount paid the farmer above the unaided market price.

Mr. VANDENBERG. The stabilization corporation?

Mr. COPELAND. To replace in some measure the funds of the stabilization corporation.

So, Mr. President, it is very clear to me, as is intimated by the Senator from Maryland—and I myself so stated in a speech last month—that without some way of replenishing the fund this bill is worthless. The reactionary Republicans—and, of course, I can not now include my genial friend from Kansas in that category, because he has shown himself to be a nonconformist—the reactionary Republicans if they succeed to-day in defeating the debenture plan have once more fooled the poor farmer. At the expense of the taxpayer, who must contribute \$500,000,000, they have fooled the poor farmer, because he will have something merely that will tide him over for the next year perhaps, with nothing in the future, and the reactionary Republicans can go home and laugh and say we "kidded" the farmers again.

Mr. TYDINGS. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Maryland?

Mr. COPELAND. I yield.

Mr. TYDINGS. It is my opinion, if the debenture plan shall be defeated to-day and the farm relief bill shall be passed without incorporating that plan and the country goes along under that bill for the next two or three years, that at the next presidential election the debenture plan will be found in the Republican platform.

Mr. COPELAND. I think that is true. It is an amazing thing to see Senators in this body across the aisle voting now for this bill without the debenture, when, as the Senator predicts, in 1932 the debenture will be in the platform. There will have to be some tangible demonstration to the farmers of America in 1932, or else they will not reelect a Republican President, a thing which we do not believe will happen anyway.

Mr. TYDINGS. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield further to the Senator from Maryland?

Mr. COPELAND. I yield.

Mr. TYDINGS. If that condition shall come to pass, it will be very interesting to see many of those who are opposing the debenture at this time throwing back somersaults and explain-

ing how they were mistaken and now they will do something for the farmer under the plan proposed.

Mr. COPELAND. In other words, the Senator means that some Senators on the other side will adopt the debenture only when they are forced to do it. That is right. But, in the meantime, I am afraid that without some method of replenishing the fund, failure is certain. To pass the House bill would be a mere gesture. It will mean the Republican Party has washed its hands of the farmer for the time being. It will brag about its generous gift of \$500,000,000, and laugh at him when he comes back for more money.

Mr. ALLEN. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Kansas?

Mr. COPELAND. I yield for a question.

Mr. ALLEN. In view of the open and almost indecent glee which the Senator from New York and his associates on the other side are exhibiting over the prospect of Republican defeat, I think they really ought to show some consideration for the feelings of the Republican Members here who helped them to administer the defeat. I rise for the purpose of objecting to the indecent display of satisfaction on the Democratic side.

Mr. COPELAND. I can quite understand the attitude of the Senator, because now he is one of those recalcitrant Republicans and naturally he is sensitive about any criticism which is passed upon them. May I say to him that I am not including those who have been long in the progressive fold, and if the Senator has really gone over to that group we will not criticize him; so he need not be disturbed at all about the situation.

What will happen to the farmer, Mr. President, if the House bill becomes a law if no provision is made for replenishing the fund? Gradually the money will disappear, and this great machine will become rusty, creaky in the joints, and impossible of functioning. Then the odium for the failure of the cooperatives and the stabilization corporation will be upon these men who have undertaken to make an unworkable machine work. The odium will be shifted to the cooperative associations. They will be held responsible for the nonrelief of agriculture. The farmers will be accused of inability to manage big business, even with the assistance of the Government; and insolvency is certain.

There might be some advantage in the reduction of fluctuation in prices for a little while; but I shall not be a party to voting for a bill which has in it no means of replenishment of the fund, and which has disaster waiting for it within a very short time after it proceeds to operate.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. COPELAND. I yield to the Senator.

Mr. SHORTRIDGE. May I inquire of the Senator about how much longer he desires to address the Senate?

Mr. COPELAND. I am always glad to yield to my genial friend; and if he will get the others to keep still and not ask any questions, I shall be through very soon. I do want to get through, and I think I can, in 10 or 12 minutes.

In the hearings before the Committee on Agriculture and Forestry on farm relief legislation, on page 521, is a very interesting statement made by Louis J. Taber, president of the Grange. He pointed out that when we raise the tariff so high that it becomes protective, we at once divert revenue from the Treasury; and he used practically the same figures that the Senator from California used this morning, showing that when the tariff is raised high enough really to benefit the American manufacturer it is in effect an embargo, and so the revenue drops off, as, for instance, in aluminum. That is a very notable example, where the various changes in the tariff reduced the importations of aluminum kitchenware from \$780,000 worth in 1922 to about \$72,000 worth in 1927, and we kept out of the Treasury of the United States \$391,140 by the increase of the rate on aluminum; and, of course, incidentally the Aluminum Co. of America profited very largely, as the Senator from Montana [Mr. WALSH] knows very well from his investigations.

I ask, Mr. President, that there be included in my remarks without reading—because I know the anxiety of my genial friend from California [Mr. SHORTRIDGE] to make a speech—pages 521 and 522 of the hearings, as marked.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

[From the statement of Louis J. Taber before the Committee on Agriculture and Forestry of the United States Senate, April 3, 1929]

When we raise the tariff so high that it becomes protective, we at once divert revenue from the Treasury. I am going to take a very conspicuous example. In 1920 we imported into the United States aluminum hollow ware, the kind we farmers use in our kitchens, to

the amount of \$422,000, and paid an ad valorem tariff of 25 per cent. In 1921 we imported \$672,000, and in 1922 we imported \$780,000 of aluminum kitchen ware. There was a change in the tariff. In 1925 we imported \$126,000, in 1926 we imported \$96,000, in 1927 we imported \$72,000. But in 1925 the ad valorem equivalent was 77 per cent, in 1926 the ad valorem was 78 per cent, and in 1927 the ad valorem was 77 per cent. In other words, we raised the tariff on aluminum hollow kitchen ware from 25 per cent to 77 per cent ad valorem, and kept out of the United States a large amount of aluminum ware. But that is not the point I want the committee to get. We kept out of the Treasury of the United States \$391,140. I am not complaining about a protective tariff that benefits aluminum.

Then we come to Table 2. I just referred to Table 1. In Table 2 I have these figures in regard to pocketknives. In 1920 we imported \$585,000 worth of knives, with an ad valorem tariff of 51 per cent; in 1921 we imported \$790,000 worth of knives, with an ad valorem tariff of 56 per cent; in 1922, \$936,000, with an ad valorem duty of 63 per cent. In 1925 we imported \$298,000 worth of pocketknives, but the tariff was 116 per cent. In 1926 we only imported \$267,000 worth of knives, and the tariff was 117 per cent. But that is not the thing that I want you to remember. During the first three years under the old tariff law we imported \$2,319,000 worth of pocketknives, and we collected \$1,200,000 of duty; but under the last three years, under the new tariff act, we only imported \$800,000 worth of knives, and we only collected \$923,000 in revenue. In other words, the country suffered a loss in revenue to protect the cutlery manufacturers. We diverted from the Treasury \$354,784. Again, I say, if we can divert money from the Federal Treasury by building a protective-tariff wall, I insist that we can also divert money from the Federal Treasury to protect agriculture.

I have been milking cows since I was 6 years old, and I am the only man in this room who milked cows last night. The hired man was sick on the farm when I came by was the reason, however. As a dairyman interested in dairying I want to talk about butter. We have had some very interesting experiences with the tariff. We first had a 2-cent tariff, and it was not enough. Then we had an 8-cent tariff, and it was not enough. Then we got a 12-cent tariff. The purpose of the tariff is not for the creation of revenue, but for the stabilization of business and the maintenance of the American standard of living in the American home.

You may say that I have been unfair because I talked about aluminum ware and pocketknives. Under an 8-cent tariff on butter, in 1923, 1924, 1925, and the first three months of 1926 we imported 50,000,000 pounds of butter, valued at \$18,000,000. We collected in duty \$4,018,000. But in 1926 and 1927, with a 12-cent tariff, we imported only 11,000,000 pounds of butter, valued at \$4,000,000, and the revenue collected was \$1,400,000. In other words, under the 8-cent tariff the average monthly revenue was \$103,000; but under the 12-cent tariff on butter the average monthly revenue was \$68,000. In other words, when we raised the tariff on butter to 12 cents, we diverted from the Treasury \$734,000.

I am reading these figures simply because I want to indicate that we are not asking the Federal Government to do a single thing it is not now doing. It has provided the drawback for the manufacturer. It has been in operation for half a century. It has provided for remitting the tariff duty on Cuban sugar and other commodities for 19 years. It has provided a tariff to the point of protection, not revenue. A tariff for revenue would mean low tariffs, and large amounts would be imported. A protective tariff builds the wall so high that it restricts the flow, reduces the revenue. So the debenture will only give the export branch of agriculture the same type of protection that other industries have been receiving.

In the days of Alexander Hamilton, when he first proposed what is called the defensive idea, 95 per cent of our revenue came from the tariff. In 1928 about 15 per cent of our revenue came from the tariff. I mention that because they had no income from State taxes, and they utilized the tariff as a producer of revenue. We feel that we are entirely justified in what we ask, and are proceeding on sound business principles and a sound constitutional basis.

Before some one asks me, I want to point out that we favor the export debentures being made good for payment of import duties, because, first, we are accepting a principle of proven constitutionality, which was through the Supreme Court a half century ago; second, that we are giving this protection to the consumer, and it is no more of a subsidy or a bonus than the tariff. It is no more a special favor to agriculture than the remitted tariff duty or the tariff drawback.

Mr. WALSH of Montana. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Montana?

Mr. COPELAND. I yield to the Senator.

Mr. WALSH of Montana. The Senator from New York does me too much honor. I have not any very definite information about how much profit the Aluminum Co. of America does make, nor, so far as that is concerned, has anybody outside of that corporation. It may, for the matter of that, have been making

inordinate profits prior to the increase in duties under the act of 1922. No showing was made to the committee of either House justifying the increase of the duties on aluminum carried in the act of 1922. No showing was made of the cost of production at home as against the cost of production abroad. The representative of the Aluminum Co. of America came before the committee and said, "This is the duty that we had under the act of 1909, and we should like to have the same duty this time"; and they got it.

Mr. COPELAND. And, of course, coming and going, the Aluminum Co. catches the American people, all the time shaping legislation so that its profits are increased; and yet the poor farmer, when he comes and asks for bread, gets a tariff on brick.

Mr. CARAWAY. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Arkansas?

Mr. COPELAND. I yield.

Mr. CARAWAY. And possibly the largest individual owner of the stock of the Aluminum Trust is the man who wrote the letter upon which the President decided that the debenture was a bad thing!

Mr. COPELAND. I thank the Senator for his illuminating statement.

Mr. President, my State stands eleventh in agricultural products in this country. It is exceeded only by Texas because of its cotton, California because of its fruits, Iowa and Illinois for their corn, and it runs shoulder to shoulder with Kansas, Minnesota, North Carolina, Oklahoma, Wisconsin, and Ohio. Any one of this group exceeds my State by only \$25,000,000; so, you see, New York is a great agricultural State. But all of the agricultural interests in my State are opposed to this bill unless it has in it some means of replenishment of the fund. I have yet to have one word from my State from a farmer or a farmer organization asking me to vote for the House bill. There is unanimity of opposition to the bill; and I think if you go to the well-informed farmers in any State you will find the same feeling regarding the proposed bill.

Mr. President, Senators laugh at me sometimes because I show so much interest in the farmer and in the farm. They want to know if my colleague and I raise our crops in window boxes! As a matter of fact, there is no State in the Union so dependent upon the farmer as the State of New York. There is no city in the Union more dependent upon the farmers than the city of New York. You do not think of my city as a manufacturing city. You think of it only as a financial center. When you want to borrow money you go to New York. When my distinguished friend the Senator from Iowa [Mr. BROOKHART] wants really to emphasize a point, he condemns Wall Street. It is the financial operations of my city that he has in mind.

You never think of New York as a manufacturing city. Let me tell you: In bulk and value, the manufactures of New York City exceed the combined products of Pittsburgh, Cleveland, Cincinnati, St. Louis, Milwaukee, Detroit, and Boston. Think of it! Six billions of dollars of manufactured products coming out of New York! Where do they go?

I rarely see any overalls worn on Broadway—and you can see almost everything that is worn there now! We sell the overalls. These products go to the farmers of the country. Half the manufactured steel is sold on the farms—fence wire, plowshares, agricultural implements, crowbars, chains, pick-axes; you know the things that are sold on the farm. There can be no continued prosperity in any city of America unless there is prosperity upon the farms of America; and so far as I am concerned, Mr. President, I am entirely unwilling to vote for any measure which has not in it some honest hope of relief for agriculture.

The House bill, in my judgment, will not give that relief. We must have a means of continuing the operations of the farm board by a replenishment of its funds. In my opinion, every Senator in this body coming from a great city—coming from Boston or New York or Philadelphia or Pittsburgh or Detroit or Chicago or St. Louis or Los Angeles or San Francisco or any other city—has a direct interest in what happens to this bill. If it is passed as it comes from the House, there will be greater discontent and greater financial stress upon the farms than we have had in the past.

As I see it, it is for us to-day to determine the fate of American agriculture; and, my friends, when I think about the farmer I think about the farmer's wife and the farmer's children. I was born on a farm. My relatives are farmers. I know the sacrifices that have been made by the farm women of America. Mr. Choate once said, speaking at a Pilgrim dinner, "I do not like to hear about the sacrifices made by

the Pilgrim fathers. The Pilgrim mothers made all the sacrifices that the Pilgrim fathers did, and, besides that, had to put up with the Pilgrim fathers." [Laughter.]

If we have an interest in the welfare of the farm home, of the women and children in those homes, and a real interest in agriculture, we are going to pass here a bill which has in it hope of perpetuity. As I see it, there is no such hope in the bill that comes from the House; and, as I have said, if there is no debenture placed upon this bill, or other means of replenishing the fund, my conscience will not permit me to vote for it.

But with the debenture feature added, I believe that any Senator who is anxious to help the agricultural producers—I do not care whether they are those who till the broad acres of the West, or the produce raisers of the South, or the growers of the fruit and perishables of our country—must realize that the prosperity of those producers, whether they labor in orchard or garden or field, depends upon the passage of a bill which has in it hope of perpetuity. Therefore I appeal to Senators to reject the conference report and include the debenture in the bill.

Mr. ALLEN obtained the floor.

Mr. HAWES. Mr. President, who has the floor?

The VICE PRESIDENT. The Senator from Kansas has the floor.

Mr. ALLEN. Does the Senator wish to have me yield for a speech or for a question?

Mr. HAWES. I desired to ask the Senator from New York a question, but he yielded the floor.

The VICE PRESIDENT. Does the Senator from Kansas yield for the Senator from Missouri to ask the Senator from New York a question?

Mr. ALLEN. I think not. I think that Senator has occupied all the time to which he is entitled.

Mr. FESS. Mr. President, will the Senator yield?

Mr. ALLEN. I yield to the Senator from Ohio.

Mr. FESS. I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Kansas yield for that purpose?

Mr. ALLEN. I think not. I am satisfied with those present. I thank the Senator just the same.

I will yield to a question of the Senator from Missouri.

Mr. HAWES. Mr. President, I will direct some questions to the Senator from Kansas later.

The VICE PRESIDENT. The Senator from Kansas has the floor.

Mr. ALLEN. Mr. President, I think it would not be a bad plan to go back to the beginning. We have been discussing a great many things during the last few days that have had nothing to do with farm legislation.

To begin with, there were some insinuations touching the sincerity of the Republicans and the sincerity of the President. In my very first experience in this body, one day I heard upon this side of the Chamber a faint shriek of pain arising from a Senator who discovered that he had been "deceived" by the President, and immediately another Senator arose, weeping softly, and then soon I saw the able senior Senator from Arkansas, with his eyes moist, come over and begin holding hands; and in a very short time we were carrying on a "lodge of sorrow" and shedding crocodile tears over some alleged insincerities that had just been discovered between the attitude of the President in the campaign and his attitude in his message. So I think it might be well to go back to that campaign attitude, since it has occupied two-thirds of the time of this discussion.

Yesterday when the able Senator from Idaho [Mr. BORAH] was speaking he assumed a hurt attitude because somebody accused him of insincerity and inconsistency. I give every man a perfect right to be inconsistent. I give to every man a perfect right to change his mind, but I grant to no man the unchallenged privilege to be insincere or to change his mind or to be inconsistent and then seek to make it appear that he alone is consistent.

In the ablest speech, probably, of the recent campaign—if it was not the ablest, then surely it was next to the ablest—the Senator from Idaho was discussing the Republican policies and the Republican pledges and the statements of the Republican candidate. Having gone over the entire range of topics discussed during the period, and arriving at the question of farm legislation, he said:

And lastly there comes this question of the surplus of wheat and pork and cotton, and this has been the difficult problem. This has been the matter about which sincere and honest men have disagreed. * * * The proposal with reference to the surplus is that of creating a board with authority and with power and with a revolving fund sufficient to enable it to assist in marketing the surplus according to the best business principles and under the best circumstances designed to bring the best price possible to the farmer.

Then there was applause. The Senator from Idaho continued:

These are the principles around which, as I understand, it is proposed to organize the problem of farm relief. And I repeat, to working it out Mr. Hoover with his experience and his acknowledged ability has given his pledge to the American people.

This was the discussion of the able Senator from Idaho in that address in Minneapolis, which stands out as one of the greatest political speeches of the period; and having said that touching his indorsement of the abilities of the President, he added this very generous statement:

Bear in mind that Mr. Hoover has never set himself to the solution of any kind of an economic problem that he has not made good.

And, adding tribute to tribute, he said:

I ask in all sincerity, Has there ever stood before the American people, for the exalted office of the Presidency, considering the questions with which we have to deal, one more competent, more experienced, of wider knowledge, or of higher standing than Herbert Hoover?

In October, having lunched with the President, so the New York Times states, the Senator from Idaho issued this statement:

Unless the short session takes up the subject and concludes satisfactory legislation upon it, I am thoroughly in favor of an extra session of Congress. I would like to see the session called at once and, first, pass a tariff bill with a special view of increasing duties upon farm products; second, pass a marketing bill establishing a more satisfactory marketing system, so as to enable the farmers to market their products without being to the enormous expense which is now necessarily incurred—a bill of this nature is now pending in the Senate. Third, create a farm board with ample authority and with an ample revolving fund to assist the farmer in marketing his surplus in accordance with sound business principles. I think there are three propositions in the question of farm relief which can be covered by a special session so as to enable the farmer to get the benefit of the legislation for the next year's crop. As I see it, we ought to have better protection for his products.

That is one.

We ought to have a better marketing system.

That is two.

We ought to have a farm board with authority and with funds to cooperate in disposing of his surplus.

That is three.

Where is the debenture?

Mr. BORAH. Mr. President, will the Senator yield?

Mr. ALLEN. In a moment. The able Senator from California [Mr. JOHNSON], Mr. President, whose interesting speech this forenoon I regard as the longest and the highest flight of indignation to which I have listened in a long while, also called into question all of those who had had the temerity to criticize a Senator for apparent inconsistency. I have not meant to criticize him. I merely said that when it comes to a discussion of the inconsistency of this case, the guilt is not ours, and the President has not changed his mind or his position. If any change has been made, it has been made in the mind of the Senator from Idaho, if we are to take what he said in the campaign as a sincere expression of that which he desires in the way of legislation.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. ALLEN. I yield to the Senator.

Mr. BORAH. I only wanted to call attention to the fact that in the Minneapolis speech I specifically stated that I was not stating my views upon farm relief.

Mr. ALLEN. I think the Senator said, "My views are already well known," at which there was laughter, so the press reports.

Mr. BORAH. No; the press does not report anything of the kind.

Mr. ALLEN. That is my recollection.

Mr. BORAH. As usual, the Senator is in error.

Mr. ALLEN. Yesterday the press was referred to, and the able Senator from Idaho, having proclaimed that he had read a hundred editorials, immediately spoke of the billingsgate of the modern editor, and the able Senator from California earlier to-day referred to "the servile press."

I have known for a good many years the patient publisher. It is the policy of some statesmen to condemn us whenever we do not agree with them. But I have always observed that, by and large, we keep along with the public. No one is more thoroughly interested in the continued success and good favor

of his clients than is the publisher, because all of the people within the zone of his paper, as a general thing, he hopes some day to make his readers. So I have never quite understood, whenever there has been an expression of difference from the attitude which a man in public life takes, this sudden resentment of the politician, and his readiness to cast the blame for all of his actions upon the press, or, if not to cast the blame, then at least to cast reflection that will color with suspicion their criticisms.

There have been a great many statements from the press touching the action of this body in introducing the debenture in the farm bill. I have here a digest of a great many papers covering the entire country—the New England division, the Middle Atlantic division, the South Atlantic division, the east North Central, the west North Central, the east South Central, the west South Central, the west North Central, the east North Central, the Mountain States, and the Pacific coast.

I discover that the "servile press" of California has so expressed itself against this measure that papers having a combined circulation of 1,062,000 have expressed themselves opposed to the debenture, while those which have favored it get down to about 30,000. Of course, that is just a mere matter of circulation. All these one million and odd, all these thirty thousand and odd, are just readers of the paper and incidentally voters in the election. All their support of a publisher means is that they have a reasonable faith in his intention, a certain belief that they are getting their money's worth from his news columns. But I find that nearly all of them reflect from year to year the opinions of the communities in which they are published. So, when we take this entire digest, beginning in New England and closing in California, we find that papers having a circulation of 10,492,400 have expressed themselves as in opposition to the debenture, while those having a circulation of 366,000 only have expressed themselves as in favor of the coalition between the Democratic Party and the so-called insurgent Republicans.

In their expressions, Mr. President, there is a note, not of billingsgate, certainly not of servility, but an honest expression of opinion on the part of those representatives of the public business who are at least as thoroughly interested in the continued prosperity of this country as are the Members of this body.

I read a typical expression:

[From the Des Moines Sunday Register, May 19, 1929]

The farm West has never been for the debenture; why should the farm West invite another farm bill failure by insisting on it?

The fact is the Senate, which has voted the debenture into the bill, is not for the debenture. The debenture is merely a stalking horse for those who wish for one reason or another to tie the President's hands.

If a die-in-the-ditch stand was to be made for anything, why was not the equalization fee revived? The farm West was for the fee and would be for it now. Why drop the fee and turn to the debenture, if we are to challenge the administration program?

But why challenge the administration program when the administration program goes a long ways, goes far enough probably to solve the farm problem for States like Iowa, and to put the wheat and cotton States on the way to recovery?

Everybody believes it to be President Hoover's purpose to name a strong farm board. Such a board will at once stop the violent breaks in market prices at harvest and husking time. With such a board set up and farm cooperatives organized it will be comparatively easy to settle on the best way to dispose of our surplus crops in the European market so as not to break the home price.

President Hoover promised to call Congress in extra session for the farm against the advice of many party leaders. He called Congress in extra session for the farm, and in the plainest way possible urged that the work of the session be confined to the farm problem.

Why should the farm West, without waiting to see what he can do and will do, try to balk him by voting the debenture into the bill, when in every test in the last eight years the farm West has been for the equalization fee and not for the debenture?

Why should the farm West chance defeat for the whole farm program again by insisting on something it has never affirmatively demanded nor advocated nor voted for?

Mr. President, that is a very able editorial from the Des Moines Sunday Register of Des Moines, Iowa, a paper having, in the State of Iowa, a circulation of practically 250,000. Here is another one:

[From the Des Moines Tribune-Capital, May 18, 1929]

But the debate is largely academic, for the debenture will not be accepted by the House nor by the President and it will not be in the farm bill when it comes up for final passage. Nor will the farm Senators who supported it stand out in a die-in-the-ditch fight for it. For very

few men in Congress really believe in the debenture. It is direct subsidy out of the Treasury, mainly to wheat and cotton.

If we look at it selfishly, Iowa is not a wheat nor cotton State and there is no annual surplus of corn in the United States. What Iowa wants is a farm bill that will stabilize marketing and protect the farm in the "home market." Paying subsidies to our exporters will never solve our problem, however acceptable it may be to the exporters.

I am inclined to think at this hour that editor may be a bad prophet, but he is a good logician. I could go on for the remainder of the afternoon, reading excerpts from the farm press and from the commercial press, literally hundreds of them which disapprove of the action of this body, which contain no word of servility, which contain no word of billingsgate, but which do appeal upon the highest plane of public purpose for an opportunity to enact farm legislation in this session of the Congress.

I have here a letter from a farmer, Mr. Ralph W. Cone, who lives in Rozel, Kans., a very able farmer. There is only one objection to asking some Senators here to accept the advice of Mr. Cone, as I see it. There is only one reason why I hesitate to name him here. Mr. Cone is a successful farmer! He said:

The attitude of the farm organization heads opposing the President's plan does not seem to me to have the backing they indicate. I believe the feeling is that President Hoover should have the opportunity to carry into effect the plans that won the votes. As he wisely says, that plan should later be supplemented as experience suggests. Don't undertake too much at the start. Elaborate schemes frequently develop unsuspected weaknesses. The price-fixing, bonus-giving plans of Cuba and various European countries with regard to sugar, of Brazil as to coffee, ought to be a warning to support the President's opposition to putting the Government into business.

Here is an expression from Mr. J. M. Blair, of Lyons, Kans., who is a practical grain dealer and a miller, and in addition owns some wheat farms:

Wheat touched the 75-cent point in central Kansas to-day, and I know that you realize what this means to Kansas. I was mighty glad to see that you voted against the debenture idea all the way through, as I believe that this is the thing that is doing more than anything else to force the market down. The trade realized the cut in railroad rates was immediately passed along to the buyer on the other side, and they know this will be the actual effect in practice of the debenture plan if it is carried through. It will automatically tend to reduce the value of our wheat by just the amount of the debenture and the foreigner will get the benefit and we stand the loss. There is a sharp feeling of resentment going through the country against the Senate's position on insisting on the debentures and it looks like the opposition Senators were just trying to crucify President Hoover on the political cross and let the farmers and the grain trade pay the bill.

THE LYONS FLOUR MILLING CO.,
J. M. BLAIR, Manager.

Now at least I wish to say to the Senator from New York [Mr. COPELAND] that that is not a cowardly insinuation. That is as cold and ruthless a charge, backed up by what appears to be ample evidence, as ever was uttered in public.

Mr. NORBECK. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from South Dakota?

Mr. ALLEN. I yield.

Mr. NORBECK. How does the Senator harmonize that with the fact that some Senators voted against the same plan that was submitted by President Coolidge? Was it malice at that time, too?

Mr. ALLEN. I do not know what it was at that time. I was not present. Some thought it was. However, I pass no judgment because at that time, as I said, I was an absentee.

Here is a sensible observation:

With the two days advance in the wheat market the morale of the farmer begins to improve already, and if Congress can affect a stabilization of the present price through the Federal farm board's operations sufficient to permit the farmer to have a little return about his expenses for his season's labors, I believe his confidence in the board and the stabilization corporation will grow sufficient to make it possible to regulate production in some degree if necessary to affect continued stabilization in succeeding crops.

That is exactly what we are trying to do by this bill. This letter is from a farmer, Mr. Harry L. Hartshorn, director of the Farmers' Cooperative Grain Dealers' Association of Kansas, who believes absolutely that the legislation we have undertaken here and which is voiced in the conference report is the legislation which the farmer is expecting, which he is desiring, and which will be the beginning of intelligent organization for the benefit of the farming business.

Here is a letter from Mr. Samuel R. Guard. A great many of you know who Samuel R. Guard is. He can not be accused of being a servile editor. Samuel R. Guard is the owner and editor of the Breeders' Gazette, one of the outstanding publications that has for its interest the agricultural life of the country. Mr. Guard has written me that he has recently returned from a trip of 3,000 miles through the West, South, and the Middle West, and on that trip he investigated the sentiment of the farmers. He says:

The common working farmer himself—

I ask Senators to observe that classification because he is really the farmer we are seeking to reach through the benefits of the legislation—

The common working farmer himself, as I have talked to him, from here to the Rocky Mountains, is in vast majority wholly friendly to Mr. Hoover and has no doubt but that the present administration will soon place the agricultural industry on a basis of equal opportunity with any other industry. He is quite willing to be patient. In fact, he feels pretty well satisfied with himself as he is, and with his business as it is to-day. I think that this common farmer has a very much better understanding of the Hoover idea than the farm leaders do.

Mr. President, during the many hours this question has been debated, as I said, very seldom upon the merits, it has been debated almost wholly upon the subject as to whether the program announced by the President and visualized by the report from the Committee on Agriculture and Forestry is consistent. The Senator from California [Mr. JOHNSON] this morning spoke of it as the "Jardine" bill. He might just as well have called it the McNary-Haugen bill with the equalization fee left out, because in the structure and in the purpose of the farm legislation the Jardine bill, the McNary-Haugen bill, and the present bill are all similar except in respect to those particular provisions that offer artifice.

So there is nothing to be said against this bill merely because Secretary Jardine, whose life has been given to the study of agriculture, whose record is a record of proud accomplishment as the president of an agricultural college, and as the head of an experimental institution for agriculture—there is nothing against this bill in saying that the ex-Secretary of Agriculture may have believed in it. Many others believe in it. The President believes in it. The country believes in it. And Senators who insist upon their ideas because they are not satisfied will find when they get back home how thoroughly the country does believe in it and how absolutely the country is going to hold them responsible for the defeat of the agricultural program which now stands menaced by defeat at this hour in this body.

I have heard, as I said, a great deal of discussion upon the question of sincerity and insincerity. I desire to present, just briefly before I close, a discussion of the debenture upon its merits. It is a somewhat technical discussion, but I did not think there would be any objection to having in the record of this debate a technical discussion of the merits of the debenture. No attempt is made to discuss other than the market wisdom of debentures.

When the special session of Congress convened on April 15, called for the express purpose of considering farm legislation, contract grain in the various markets was as follows:

Chicago July wheat.....	\$1.26½
Winnipeg July wheat.....	1.29½
Liverpool July wheat.....	1.34
Buenos Aires June wheat.....	1.10½
Chicago July corn.....	.98
Chicago July rye.....	1.03½

Keep in mind that the inexperienced minds often refer to Liverpool as indicative of the world price of wheat and apparently as if a world price was some intangible but stable thing. On the contrary, a world price is only the current meeting point of the judgment of thousands of merchants and dealers abroad. Every one of these dealers has to adapt his buying policies with great caution, in self-preservation.

In fact, the unsettlement which followed the war and the money exchange fluctuations and the effect of various legislative incursions into wheat, flour, and bread control in various countries abroad, has resulted in greatly curtailing the capital resources of milling and grain trades of the Old World, and made them exceptionally timid, and unable to exercise their usual support by size of aggregate purchases.

On April 15, by public utterances which reached the front pages of our own press, and by cable also abroad, there began successively the emphasis on a depressing surplus of old wheat left in the United States and the necessity of moving this out of the way of a coming new crop although that new crop was at least two months away, and sometimes in the past unfavorable weather has often reduced the expected quantity of new crop.

Even yet all of the hazards that menace this year's crop of wheat have not been passed.

Up till then there was at home and abroad a fairly general faith that a farm board, promptly established, with adequate powers, and administered with strong business judgment would help to sustain a fair level of prices. The statistical presence of the old crop surplus had been known for months but on this confidence that a way might be found to offset the usual depression of such a surplus, price levels at home and abroad had continued on a fairly stable basis for many months. In the United States especially our domestic consumption of forty to fifty million bushels a month had proceeded month after month on a level substantially above any export relation with European markets and with a price level which can not fairly be stated to have been depressed, say, around \$1.25 Chicago basis plus premiums for milling qualities.

The public stress laid on the surplus was not good national market sense. The effect of this constant emphasis on the surplus which must be marketed was to undermine almost immediately the buying confidence at home and abroad which had maintained these price levels, and introduced doubt in the buyers' minds, and led to the liquidation of purchases of grain which might have continued for months except for this undermining of confidence. This grew worse as it dawned on dealers and millers at home and abroad that the Senate of the United States was soberly discussing, under the name of debentures, an export premium or a forcing of our surplus into markets already adequately supplied with wheat abroad.

When the Senate of the United States by actually passing the debenture plan aroused a fear that such an export premium would be put in operation to force our surplus into these foreign markets, there developed almost a panic in wheat circles abroad.

The day following the announcement of the adoption by the Senate of the debenture provision the closing prices for the same contract qualities were:

Chicago July wheat	\$1.08
Winnipeg July wheat	1.12½
Liverpool July wheat	1.16
Buenos Aires June wheat	1.00
Chicago July corn	.88
Chicago July rye	.87

Through all of this time, as at present, Canada particularly, and also Argentina and to a less extent Australia, have all had surpluses from the last crop to market. Ordinarily these surpluses might proceed to market in a rather stable and restrained manner, but with this evidence these countries began to press their sales on the European market in order to secure purchasers before the stimulated offering of United States surplus reached Europe.

Therefore the decline contained under these various influences with foreign buyers afraid to enter into contracts, until three weeks later these prices had fallen further as follows. On May 31:

Chicago July wheat	\$0.98
Winnipeg July wheat	1.07
Liverpool July wheat	1.10
Buenos Aires June wheat	.93
Chicago July corn	.81
Chicago July rye	.76

From this point there has been a gradual recovery under what may be reasonably assumed to be the evidence that the debenture plan would not be allowed to go into effect, and the whole price level has moderately recovered under a rather timid revival of confidence which followed the bringing back to this body of a conference report without the debenture.

Now, it seems quite reasonable from this course of prices timed with the event, that the practical judgment of those who must buy and use grain was that the effect of export debentures on United States surplus, intended to stimulate the dumping of an accumulated surplus beyond the capacity of absorption by foreign markets already adequately supplied week by week, suspended the usual demand, and under the usual law of supply and demand prices fell.

As prices fell, both Italy and France, in order to cushion the fall in price levels as affecting their own producers, applied overnight and without notice, as their laws allowed them to do, an advance in the import duty on wheat. The immediate application, thus without notice, of protective action on the part of those two countries indicates quite clearly what would probably be their action if export premiums were paid to stimulate the dumping into foreign markets of our surplus. There is a vast difference between stimulating such marketing into unwilling markets and allowing them to move in the natural play of competitive judgments and competitive qualities.

Every country practically in the world, including our own, has antidumping legislative authority which can be applied on short notice, and in most countries without any previous notice whatever. Manifestly those countries are not going to say in

advance what their policies will be, but Great Britain, which is the largest single market for imported wheat abroad, interested as it is in the British Empire federation with two important wheat raisers—Canada and Australia—will very likely not allow their markets to be undermined by our Government-stimulated competition with the product of their own Empire. This position of France and Italy and other markets against the undermining of bounty-stimulated exports is shown in their recent tariff action.

It is more than likely that most or all of the large importing countries of the world would immediately apply the antidumping provisions of their laws and close their markets entirely on any terms to our products which bear a Government-export bounty. The reasonably expected result of any serious application of debenture premiums on exports applied particularly to wheat would be that we would find the markets of the world closed to us entirely on any terms. So far from the debentures establishing a domestic premium over the world basis, we would find the whole world basis broken down as it has been even under the serious discussion of the possibility of such debenture premium on exports, and we might find ourselves without even the normal market for our surplus.

Senators have inquired here to-day why we jump at the conclusion that this bill will be vetoed by the President. My friends, I jump at the conclusion upon the strength of the President's own statement to us, upon the faith I have in his intelligent judgment touching economic results, upon the trust I place in his realization that it is his duty to save the American farmers from a catastrophe.

In trying to forecast what other countries would do, what would the United States do under its present legislative authority if Canada should, as it can do overnight, put an export debenture bounty on wheat from Canada into the United States, say, of 42 cents, so as to allow Canadian wheat to enter our markets? What the United States would do under those circumstances is quite easy to imagine, and as well what other countries will do under similar circumstances requires only the application of ordinary judgment to forecast.

Leaving all other considerations aside, the export bounty debenture plan is the worst from a national marketing standpoint that can possibly be devised and would be destructive of prices everywhere without ever reflecting a premium on domestic levels.

There is a broad philosophy in grain prices. Eighty per cent of the world's grain crop matures in the three months of June, July, and August. That accumulation of maturing harvests must be carried through 12 months and be fairly distributed and consumed. Suitable machinery to do this has been enlisted through the future-trading markets, involving large investments by our people, and the burden of storage, insurance, and interest arrangements is shifted to the warehousemen and merchants by making the buying easy and expeditious. It has been able in the past to attract sentiment enough to offset harvest surpluses and accumulations. Over an extended period we always have years of poor crops somewhere in the world, during which price levels are helped by the absorption of the accumulated surpluses. The problem is to carry such surpluses on as buoyant a price level as possible until consumption and crop shrinkage somewhere may overtake and clear the surplus situation. Confidence and sentiment as to price levels are often effective against statistical evidences in maintaining buoyant prices, and that never was so clearly shown as in the last eight months. To destroy that confidence is immediately to undermine price levels at home and abroad. We need a strong farm board. We need their guidance in organization. We need their aid in facilitating orderly marketing by the farm itself and their strengthening effect on sentiment, which carries price levels on accumulated surpluses in storage centers.

Mr. President, it is not fair to agriculture for us to say in this body that agriculture alone is the only business in the world which will not yield to intelligent organization. There is tremendous strength in it. If it had not been for the latent strength in agriculture it could not have withstood for the last 10 years the constant defamation of it by its own friends; it could not for the last 10 years have withstood the continual declaration that it was a "busted" industry and that land was worthless.

Mr. President, what we need to do at this hour in this Congress is to make this beginning of an intelligent agricultural organization and by future judgments, as in the case of the Federal reserve, perfect the system until we place before the American people that which will be a worthy expression of our honest and constructive belief, unpoisoned by the opportunities which are provided for interparty bickerings and assaults.

Mr. CARAWAY. Mr. President, I do not want to demonstrate that wasting time of the Senate is a bipartisan performance. I am willing to yield that palm to the junior Senator from

Kansas. He has taken up time to demonstrate that the grass-hopper is not the only plague that has come out of that State. [Laughter.] He admonishes us to have an honest conviction, but the only conviction he has is what the President wants.

Mr. ALLEN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Kansas?

Mr. CARAWAY. Oh, yes; I yield.

Mr. ALLEN. I thought the Senator would. As a matter of fact, I want to clear up that apprehension which exists in his mind, which is the second time he has expressed it to me. I want to make this broad statement in general: First, that the President does not expect me to think his thoughts.

Mr. CARAWAY. If he does, he will be fooled.

Mr. ALLEN. He has granted me the privilege of thinking my own; but, if ever at any time in this body I am reduced to the basis of taking either the thoughts of the junior Senator from Arkansas or the thoughts of the President of the United States, I shall unhesitatingly select the thoughts of the President. [Laughter.]

Mr. CARAWAY. Well, the Senator will have his choice; but he must take somebody's opinion; he did not bring one here with him. [Laughter.]

Mr. ALLEN. Mr. President, in that respect the Senator from Arkansas and myself can go along comfortably, neither nagging the other.

Mr. CARAWAY. What was that?

Mr. ALLEN. What I was seeking to introduce into the mind of the Senator from Arkansas was the thought that possibly the reflection he cast upon my thinking apparatus might be a reflection upon his own. Does the Senator get that?

Mr. CARAWAY. I was not casting any reflection on the Senator's thinking apparatus; I never accused him of having one. [Laughter.]

However, Mr. President, what I started to say—and of course, I realize it is a waste of time of the Senate to say it—is that the only appeal the Senator makes is that his colleagues shall stand by the President; that the President has thought out this problem, and, therefore, we should leave it to the President. If that be so, I do not know why we should have been called upon to act upon the pending legislation at all. If it is the view of the Senator from Kansas, borrowed, no doubt, that the duty of Congress is to legislate only what the President shall direct, of course, Kansas is very well represented in the Senate.

What I started to say is that whatever information the President has about the debenture he received from two men, whom I shall mention in a few moments. The Agricultural Committee had agreed unanimously to report the bill. Whatever may be said on the floor, the only reservations made were by four Senators, who said, "If the President changes his mind, we will change ours." They are sitting here; they know that is true, and they will not rise and deny it. The only reservation they made was that they would change whenever the President changed. The committee then sent a delegation to the President to ascertain what he thought, and the President said, "I do not know anything about this proposition." The committee is here that went to see him, and they know that is true. They asked him what he thought about the debenture plan, and he said, "I do not know anything about it." He was exactly as informed as is the Senator from Kansas.

The President had time to spend six weeks on a "good will" tour to South America after he had been elected President of the United States; he had time to fish in Florida for a couple of weeks after he had been elected President of the United States; he had time, for four weeks, to hunt good fishing places in Virginia and Maryland after he had been elected President of the United States; but he did not have time, according to his own declaration, to give thought to that which means life or death to 30,000,000 American people. Yet the Senator from Kansas says that is the kind of intelligence he wants to follow.

The President said, "I will take my adviser's opinion and thus find out what I should say about the debenture plan." One of his advisers is the present Secretary of Agriculture, Mr. Hyde. I challenge any Senator on the floor of the Senate to read what the Secretary of Agriculture said to the Committee on Agriculture and know what he thought about any farm problem. I dare any Senator on the other side to stand up and say what it was the Secretary of Agriculture thought about any plan for farm relief which was pending before the Congress of the United States. And yet, and yet, and yet the "master mind" that we are asked now by the Senator from Kansas to follow said, "I will take my opinion from this man," who did not have any opinion of his own.

He took one other man's opinion. He took the opinion of the Secretary of the Treasury, Mr. Mellon. I concede that Mr.

Mellon is an able man. I think he knows more about oil than anybody living, except Doheny and Sinclair and Albert Fall. [Laughter.] I admit that he knows a good deal more about money than most of us. I am not saying that in his own field he is not a man of great ability; but I do say that the mere fact that he knows that if you get 10 per cent on your investment, plus 100 per cent, you will eventually get rich, does not make him an expert on farm problems.

That is the information that the President said he was going to rely upon. He said he would submit this question to his experts, and he sent their data along with his opinion. But let us just look at the opinion of one of the experts. I am sure it came from there.

One of the 10 reasons given by the President was the following:

The plan would require a substantial increase in taxes, as no such expenditure or depletion of revenues as this plan implies could be paid from marginal income of the Government, more particularly in view of the very large increased expenditures imposed by the naval program, flood control, and other branches of farm relief.

The Treasury, according to Mr. Mellon, could not support this plan, which would drain the Treasury to the extent of about \$75,000,000, according to the experts offered to us by the Government itself. It could not support this plan; and yet you are asked to vote for a plan that will require the Treasury to support a plan calling for \$500,000,000 to start with!

I know that I am not as wise as those who trade off their intelligence to the President and allow him to vote them; but I am curious to know how a Treasury that could not support an expenditure of \$75,000,000 can support an expenditure of \$500,000,000 to start with. Even the Senator from Kansas—no, he would not have any trouble with it; but anybody else would.

I have in my hand an article from that inspired Republican propaganda organization known as the Associated Press [laughter], which says:

Treasury pledges farm relief cost. Proposed \$500,000,000 appropriation easily made available, official reports.

And, further, the article says:

A Treasury official said to-day, "This prospect of Congress appropriating the money before taking its recess would in no way disrupt the financial plans of the Government."

At least, when we are asked to believe both of those statements, everybody but the Senator from Kansas may have some trouble with it—that the Treasury could not support an expenditure of \$75,000,000, and yet, without disturbing its arrangements at all, it can, as an initial expenditure, carry \$500,000,000! We are asked to base our whole vote, and risk the future happiness and contentment and prosperity of ourselves and 30,000,000 of our fellow American citizens, upon the advice of this man who says in one breath that the Treasury can not support an expenditure of \$75,000,000, and in the next, "If you will just take my plan, we will offer \$500,000,000."

Mark you, what was the change made by the House in this bill? It carried when it passed the Senate a revolving fund made immediately available for taking care of this crop of \$100,000,000. The price of wheat broke and the House wrote into the bill four hundred millions more, making it \$500,000,000—for what purpose? For no purpose other than to take care of this one wheat emergency. To take care of the present depressed prices of wheat you are going to put up \$500,000,000. Well, if the others who are engaged in agriculture should get a fair proportion along with the wheat growers, the initial expenditure of a billion dollars proposed by the Senator from Alabama was a mere bagatelle. You will have to put up more than a billion dollars upon this plan of farm relief that they tell us now embodies all the wisdom of all the ages.

How much are you expecting to supply to the people in the South who grow cotton? How much are the fruit growers to get? How much are the corn growers to get? How much are the hog raisers, the sheep raisers, the cattle raisers, and all the varied farm industries of this country to get if wheat alone is entitled to half a billion dollars to take care of one crop?

I know, Mr. President, that this proposition is neither sustained nor defeated by mere denunciation. If it were, I should yield the palm already, well earned, to the junior Senator from Kansas [Mr. ALLEN]. He announced that he was going to debate this proposition upon an intelligent basis, and then he used nearly all the time of the Senate that remained to show that some Senators on his side were inconsistent—that is, that they did not agree with him. If he were to take a census of all the intelligent people of the United States, he would find that all of them were inconsistent and did not agree with him.

He read a letter and said that he hated to mention the name, because the man was a successful farmer. I did not know it was a crime, even in Kansas, to be a successful farmer; but I am not going to argue about that. This successful farmer did not believe in the debenture plan, and he gave his reason for not believing in it; and that reason was one that Mr. Hoover had planted among his 10 objections to it. I presume the successful farmer borrowed it from that source. I think he ought to have at least given Mr. Hoover credit for it, just as I think Mr. Hoover ought to have given Mr. Coolidge credit for it, because Mr. Coolidge first sent it to the Senate in his veto of the McNary-Haugen bill; and I think that Mr. Coolidge ought to have given Mr. Mellon credit for it, because it was born of his fertile brain.

I do not know, and no one knows, what is to be the fate of this bill. We are told that if we vote down the conference report it means the death of agricultural legislation at this session of Congress. Well, that rests with those gentlemen over there. It rests with the other body of this Congress, which undertakes to gag its Members and prevent an intelligent expression of opinion. It strikes me, at least, that if the matter is so susceptible of proof, and since the majority in both the Senate and the House is overwhelmingly Republican, and if you are willing to trust to the integrity and the intelligence of your own membership, you would have no objection to having it submitted to that court of reason that you say would disapprove the plan.

I am not going to criticize the conferees in this matter. I do know that there is a vicious procedure in both the Senate and the House of naming, sometimes, as conferees Members who are uncomprehensively opposed to the provision in conference. It serves notice on the other body that "If you will hold out a day or two we will yield, because we have no heart in the fight, and we are not in sympathy with it." I know there are two names upon that conference report that never would have been signed to it if sugar instead of cotton had been the article in question. Everybody knows that; and I know this: If the Senate disapproves this conference report, and—while I am not going to suggest it—if conferees are appointed who are in sympathy with it, I know it is going to get a vote in the other House.

Mr. BROOKHART. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Iowa?

Mr. CARAWAY. I shall be through in just one minute, if the Senator wants the floor.

The thing that is so obviously true—and with that I am through—is this: The debenture plan is only an ultimate plan. If you believe that the President's plan will succeed, you have no reason then to fear, because the debenture plan is included in it, because the President is going to name the board, and the Senator from Kansas has just assured us that the President is going to name a patriotic and an able board. Of course, I presume he suggested the names to the President, or else he would not know who it is that the President is going to name, although the papers two or three days ago carried the statement that the President was trading on the membership of the farm board to get votes in the Senate to defeat this plan.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Utah?

Mr. CARAWAY. I do.

Mr. KING. Apropos of what the Senator has just said, I am advised that Mr. Hartshorn, an editor or writer from whom the Senator from Kansas [Mr. ALLEN] read, is an applicant for a position upon the board; and my information is that the two Senators from Kansas, as well as other representatives favoring the bill, have indorsed Mr. Hartshorn, and, perhaps, have visited the White House in his behalf.

Mr. CARAWAY. Well—

Mr. ALLEN. Yes; well? [Laughter.]

Mr. CARAWAY. At least that is one good guess that the Senator from Utah has made. I have no knowledge of who the members are to be; but, of course, the Senator from Utah named one, if the two distinguished Senators from Kansas can dictate the choice. Whether or not he is an able man I do not know. If his editorial was an example of it, I should not think the farmers would be overly fortunate in his naming; but that has nothing to do with his naming, anyway. It is a political trade, of course; and here are Senators, men who had promised to the farmers when they plead for their support that they would be true to their needs and their demands, swapping them off merely for the right of naming a friend on the board!

The junior Senator from Kansas, I remember, in his other tirade, said he was willing to go back and face the people who sent him here. As I remember, only one man sent him here; so, of course, he will have no trouble in doing that. [Laughter.]

I started to make this observation, and was diverted: If the Senators on the other side believe that the President's plan will solve the farm problem, they could have no occasion to object to the debenture plan, because the President and this "intelligent" board that he is to name alone could call it into existence. If your tariff paid to the farmer 50 per cent of what you say he is entitled to receive, then he asks nothing at the hands of this board under the debenture plan. If you believe that your promises to him are worth 50 cents on the dollar, if you believe half you say, then you have no objection to the debenture plan, because it can not be effective unless your plan falls short 50 per cent of what you say the farmer is entitled to receive.

Mr. BROOKHART. Mr. President, I deem it the most important duty of a Member of the United States Senate or of a President to keep his pledges and his platform with the people of our country.

When the late campaign started I was invited to discuss with the farmers of the Northwest the plans of farm relief that might be granted to them under the new administration. I discussed two plans in the course of the campaign. The first of those plans was the Hoover plan.

The facts of that plan were presented to me by the campaign committee and by Mr. George Barr Baker, who served with Mr. Hoover in the Food Administration, and I made an accurate study of the Hoover plan. As I presented that plan to the farmers of the Northwest, and presented the record of Herbert Hoover, I pointed out to them how his organizations had fixed the prices of \$10,000,000,000 worth of farm products. I pointed out to them how they had bought and sold farm products. I pointed out how he had asked and obtained a round billion dollars to handle wheat alone, buying and selling wheat. I also pointed out to them that the Hoover plan had also solved the farm problem during and after the war, that he had given to the farmers the best prices and the best prosperity they had ever had in all the history of agriculture.

Near the end of the campaign an attack was made upon Mr. Hoover by Senator Reed, of Missouri, in that able and furious method of his. I replied to that attack with the debenture plan, which he himself had proposed, and which I assisted him in rewriting and preparing as an amendment to the tax bill here in the Senate.

I described the debenture plan then as I do now, as the next best plan for the relief of the farm depression. The Hoover plan, which Mr. Hoover used in the Food Administration and in the Wheat Corporation, is the only plan that can, by legislation, solve this problem completely for the farmers of the United States. Next to that I said that the debenture plan was the best, and I pointed out its provisions as we presented it to the Senate of the United States, and called attention to the fact that it had received 23 votes in the Senate as an amendment to the tax bill.

Time went on, and the election was over, and when the election was over these gentlemen who wanted to talk to me about the farm problem during the campaign no longer wanted to see or talk to me about any farm problem. I suggested to the President elect himself a time or two conferences upon that subject, but the occasion never arose when he talked to me about the farm problem as had been done before.

Before the debate arose in the Senate I went before the Committee on Agriculture. I had the honor to be the first person appearing before that committee, and I presented to the committee the Hoover plan for the solution of the farm problem. I presented the plan that would fix the prices of the products at the cost of production, with 5 per cent capital return, very close to but less radical than the plan Mr. Hoover's organization had used during and after the war. I presented a plan that would authorize only a billion and a half dollars, to buy and to sell the agricultural surplus of the United States, which amounts to about \$2,000,000,000 per year, and I showed that to be a moderate plan compared with the previous Hoover plans, because he had asked and received a billion dollars for his wheat corporation alone in 1919. When we include cotton and livestock and all the other farm products, we realize that a billion and a half is a small amount to handle the \$2,000,000,000 of surplus. I presented all of that to the committee, and then I said to them that the next best relief was this debenture plan, that it would give some farm relief.

I have criticized the debenture plan because it goes only half way. It applies only one-half of the tariff, and the tariff representing the difference between the cost of production at home and abroad, it ought to include all of the tariff, and not one-half of it.

That was the situation when the debate arose in the Senate of the United States. I took the floor in the Senate and spoke upon that proposition exactly as I did during the campaign, exactly as I did before the Committee on Agriculture. Then

what started? We found an organization of snipers set up in the United States. There was Charles Francis Adams in the Cabinet itself, and he went over to Boston, a Democratic community in a Democratic State, and proceeded to denounce us who were speaking our sentiments upon this proposition.

Then along came a member of another cabinet, of the "medicine ball" cabinet, and that was William Hard, a noted writer. He said:

The saddest sight in town is the estrangement between SMITH WILDMAN BROOKHART, of Iowa, and Herbert Hoover, of California. Senator BROOKHART, contemplating Herbert Hoover's rejection of the export-debenture plan for the relief of agriculture, feels that all his trust in Herbert Hoover as a progressive has been betrayed.

For many months Senator BROOKHART has been telling his progressive and radical colleagues in the Senate and in the Corn and Wheat Belts that Herbert Hoover was the positive prince of progressives. He has been assuring all skeptics that Herbert Hoover concealed within his engineering exterior a progressive punch of superlative potency.

In a word, Senator BROOKHART staked his whole reputation as a student of human nature upon Herbert Hoover's hidden appetite for progressivism as understood and as defined by the left wing of the Republican Party in the upper House of Congress.

Mr. President, I admit I had some feeling that there was a progressive principle in Herbert Hoover. His declaration of equality of opportunity for all men is all there is in the progressive movement. But along comes "Medicine Ball" Hard, now of that distinguished cabinet, and tells us that my idea was a "double-cross" and that we can not rely upon any progressive principles from the White House. If that be true, the time has come when the farmers of the United States would better get ready to elect a progressive President in the United States.

Last, and also least, there comes to the United States Senate, in this snipers' squad, HENRY J. ALLEN, of Kansas, the temporary Senator from that State, who is now a candidate for "ex-Senator," and who will win in that contest. He says:

It is perfectly obvious that in the reference the Senator from Iowa seeks by use of a weasel word or two to present the idea that the President of the United States has changed his attitude—

And so forth.

I have presented the facts upon this question. I mean to continue to present these facts, in Kansas and in every other State. I do not intend to double cross the farmers who send me to the United States Senate.

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. BROOKHART. I yield.

Mr. ALLEN. I will be very glad, indeed, to have the Senator come over to Kansas. He has been over there a good many times. He has never done us either harm or good, but we are always glad to have him come; and let him make no declaration of his intention to come through the misapprehension that it is going to cause anybody in Kansas any concern.

Mr. BROOKHART. Mr. President, the Senator will easily win his contest for "ex-Senator." [Laughter.]

Mr. President, this debenture matter will give some farm relief. It is not my method; it is not the Hoover method of farm relief which I presented to the farmers of the United States.

I do not know why this change of front has been made, but I do know it has been made without consulting me. I do know it has been made without anything being offered as a substitute for the original Hoover method of handling surpluses. Therefore I have supported the debenture, and shall vote against this conference report.

I say to the Senate of the United States that I am not going to abandon this farm fight. The Republican Party and the Democratic Party promised equality to agriculture in the United States, equality with other industries. There is only one time to quit that fight, and that is when the farmers get that equality. It is not given them in this bill. Without the debenture this is a bill to lend their cooperatives money, and loans is not what they need. They need better prices for their products so they can pay the excess loans they now owe.

Oh, yes; they are worse off in the United States. They are worse off because wheat is now down to \$1.06%, and Saturday was \$1.07% in Chicago. I know they are worse off, because, according to the report of the Secretary of Agriculture, which I hold in my hand, in 1928 they sold 48,000,000 hogs and got about \$200,000,000 less for those hogs than they got for 41,000,000 hogs in 1926.

The condition of the farmer is worse off because the United States Steel Corporation, upon its own report, which I hold in my hand, earned a net profit of one hundred and twenty-six

million and odd dollars in 1928, a large part of which was paid by the farmers of the United States.

They are worse off because of the O'Fallon decision in the railroad rate case.

They are worse off because of the 20 per cent interest rate that has gone up on the stock exchange in New York, taking the surplus credit of the country away from agriculture.

They have not gained, they have lost, so far; and it looks to me now as if we will continue to lose until they defeat the "weasels" who put out platforms of promise and then come into Congress and neglect and forget those platforms.

Mr. President, Herbert Hoover said in his speech of acceptance that this farm problem was the greatest problem before the American people. I think, to carry out the solution of that problem, it should have had more of his attention than it has had. I think it has been neglected and turned over to machine politics.

So far as these newspapers are concerned, I have no more fear of them than the Senator from Kansas professes to have of me. I have always had 90 per cent of them against me, and that is one strong reason why the people supported me. They represent nothing, so far as the people are concerned—

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. BROOKHART. They are the ones who fill their columns with "weasel" words all the time. They are the outfits that deceive the people. I expect them to be against any genuine plan of farm relief.

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. BROOKHART. I expect those newspapers to "double-cross" their constituencies. Some of them will take up this American problem from an American standpoint, in the interest of all the people. The rest of them are controlled. They are controlled, and they have deceived and attempted to deceive the farmers, but they are not deceiving them now.

I hold in my hand a letter from a farmer in Kansas. I will not read it, because its remarks about the Senator from Kansas would be a violation of the Senate rules. [Laughter.]

Mr. President, equality is all there is in Americanism. The Declaration of Independence was founded upon equality. All our history has been toward equality. Every amendment to the Constitution was to carve out the old inequalities which got into that instrument in the beginning. We will continue this farm fight. After this makeshift "weasel" bill has been enacted into law, if it ever shall be, we will continue this fight until agriculture has obtained that equality to which it is justly entitled.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	George	McKellar	Smith
Ashurst	Gillett	McMaster	Smoot
Barkley	Glass	McNary	Steak
Bingham	Glenn	Metcalf	Stelwer
Blease	Goff	Moses	Swanson
Borah	Goldsborough	Norbeck	Thomas, Idaho
Bratton	Greene	Norris	Thomas, Okla.
Brookhart	Hale	Nye	Townsend
Broussard	Harris	Oddie	Trammell
Burton	Harrison	Overman	Tydings
Capper	Hastings	Patterson	Tyson
Caraway	Hatfield	Philpps	Vandenberg
Connally	Hawes	Pine	Wagner
Copeland	Hayden	Pittman	Walcott
Couzens	Hebert	Ransdell	Walsh, Mass.
Cutting	Hefflin	Reed	Walsh, Mont.
Dale	Howell	Robinson, Ark.	Warren
Deneen	Johnson	Sackett	Waterman
Dill	Jones	Schall	Watson
Edge	Kean	Sheppard	Wheeler
Fess	Keyes	Shipstead	
Fletcher	King	Shortridge	
Frazier	La Follette	Simmons	

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present. Under the unanimous-consent agreement, debate is closed and the question is on agreeing to the conference report.

Mr. McKELLAR. On that question let us have the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. HEFLIN (when Mr. BLACK's name was called). I desire to announce that my colleague the junior Senator from Alabama [Mr. BLACK] is absent on account of illness. He has a general pair on this subject with the Senator from Wyoming [Mr. KENDRICK]. If present, my colleague would vote "nay," and if present the Senator from Wyoming [Mr. KENDRICK] would vote "yea."

Mr. LA FOLLETTE (when Mr. BLAINE's name was called). I desire to announce the unavoidable absence of my colleague the junior Senator from Wisconsin [Mr. BLAINE]. He is paired with the junior Senator from Maine [Mr. GOULD], who is also unavoidably absent. If my colleague were present, he would vote "nay." If the junior Senator from Maine were present, he would vote "yea."

Mr. WATSON (when the name of Mr. ROBINSON of Indiana was called). My colleague the junior Senator from Indiana [Mr. ROBINSON] is unavoidably absent from the city. He is paired with the junior Senator from Mississippi [Mr. STEPHENS]. If present, my colleague would vote "yea," and the junior Senator from Mississippi would vote "nay."

Mr. HARRISON (when Mr. STEPHENS's name was called). My colleague the junior Senator from Mississippi [Mr. STEPHENS] is absent on account of sickness in his family. As stated by the senior Senator from Indiana [Mr. WATSON], my colleague is paired with the junior Senator from Indiana [Mr. ROBINSON]. If my colleague were present, he would vote "nay."

The roll call having been concluded, the result was announced—yeas 43, nays 46, as follows:

YEAS—43

Allen	Glenn	McNary	Stetson
Bingham	Goff	Metcalf	Thomas, Idaho
Burton	Goldsborough	Moses	Townsend
Capper	Greene	Oddie	Trammell
Cutting	Hale	Patterson	Vandenberg
Dale	Hastings	Phipps	Wagner
Deneen	Hatfield	Ransdell	Walcott
Edge	Hebert	Reed	Warren
Fess	Jones	Sackett	Waterman
Fletcher	Kean	Shortridge	Watson
Gillett	Keyes	Smoot	

NAYS—46

Ashurst	Frazier	McKellar	Simmons
Barkley	George	McMaster	Smith
Blease	Glass	Norbeck	Steck
Borah	Harris	Norris	Swanson
Bratton	Harrison	Nye	Thomas, Okla.
Brookhart	Hawes	Overman	Tydings
Broussard	Hayden	Pine	Tyson
Caraway	Hefflin	Pittman	Walsh, Mass.
Connally	Howell	Robinson, Ark.	Walsh, Mont.
Copeland	Johnson	Schall	Wheeler
Couzens	King	Sheppard	
Dill	La Follette	Shipstead	

NOT VOTING—6

Black	Gould	Robinson, Ind.	Stephens
Blaine	Kendrick		

So the Senate refused to agree to the conference report.

Mr. McNARY. Mr. President, I move that the Senate insist on its amendment and ask for a further conference with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. McNARY, Mr. NORRIS, Mr. CAPPER, Mr. SMITH, and Mr. RANSDELL conferees on the part of the Senate at the further conference.

Mr. WALSH of Massachusetts. Mr. President, not being able to get the floor before the vote, I desire to make a brief statement with respect to my vote on the conference report on farm relief. I am not among those who voted against the report because it does not contain the debenture plan of farm relief. I voted against the conference report, because to do otherwise would be to vote for a legislative measure that I do not believe in.

From the outset I have been opposed to the debenture plan, because, as is frankly stated by its sponsors, it is a bounty. This, all agree, to be a radical departure from the policy of our Government, but is justified by its advocates on the theory that it puts the farmer on a par with the manufacturer who is a beneficiary of the protective tariff system.

There is little danger, in view of the attitude of the House, of the debenture plan being enacted into law at the present time. My vote and the vote of a few others, however, may decide the fate of the House farm relief bill. My opposition to the House bill is such that I do not propose to aid in its enactment into law.

The provision for the creation of a Federal farm board in the so-called House bill sets up a bureau to which is given a working fund of \$500,000,000 of public money. It creates machinery by which an elaborate scheme of price fixing and Government intervention in business may be set up. I am opposed to the Government being engaged in the business of agricultural production and marketing just as much as I am opposed to the Government directing any other industry or business. I am opposed to the agricultural interests of the country becoming a political football or being regulated by a political board.

That which is the trouble with the farm problem is not unlike the difficulties experienced by the textile and coal industries. For several economic reasons the textile industry, like the

farming industry, is in a bad plight. Why not propose to equalize it with all other manufactures by stabilization associations till the "price is right"? Why not stabilize with Government aid the extensive unemployment in the country?

Overproduction, together with the waste between the farmer and the consumer due to the excessive freight rates and profits of the middleman, is one if not the chief difficulty of agriculture. Nothing is proposed in these measures to eradicate these.

The first way to solve the farm problem is the elimination of every penny of waste between farmer and consumer, whether it rises from speculation, hazard, or otherwise. I favor preferential freight rates for all food products—by such method the farmer and consumer would both benefit and no bounty extended that one group must pay to another group.

No governmental agency should engage in buying, selling, and price fixing of agricultural or any other products. Neither should any policy be adopted that would increase surplus production. The proposed farm relief measures indirectly do these things.

Why should the farmer become the sole solicitude of the Government by having a board created to nurse his ills and have a large revolving fund available, which, to my mind, is only the beginning of increased appropriations by the hundreds of millions of dollars from time to time? Does not this mean increased tax burdens, further centralization of Government, and no assurance of benefits to the farmer?

Tens of thousands of independent merchants throughout the country are in dire distress and likely to lose their businesses through the cutting of prices by chain stores. Why not organize one great chain of marketing agencies and put up a fund of \$500,000,000 to stabilize these merchants against chain-store competition? Such a proposal no one would dare consider seriously.

Both of these proposals are an insidious march toward bureaucracy and socialism. As to the House bill, we hear it said that there is no price fixing and no bureaucracy, yet it proposes to loan several hundred millions of dollars to carry crops until they can be disposed of and at the same time create a farm board with a small army of employees with tremendous and undefined powers.

All this to me indicates a drift toward Government ownership. If our Government is to control prices and profits, individual ownership will in the future cease to exist. You can not separate, in my opinion, the control of initiative and the control of surpluses. If one is in the hands of the state, the other is bound to become such. It can not be denied that this is interference with the orderly production and marketing of agricultural products and that the end sought is increased prices for the consumer.

It is only a matter of time when such interference with the farmer will cause complexities which will become a burden to him as well as to the public at large.

Because I am opposed to the principle of subsidies, to the appointment of a dictator for farm relief, and to the Government loaning money as an experiment to bolster up any industry, I voted against both of these proposals. It is no benefit to the farmer to put him in a position where he must bow down and submit, and must, in order to carry on business, resort to cooperative marketing organizations, stabilization corporations, and a Federal farm board.

Further, it is admitted by the proponents of the House bill, including the President, that this is an experiment, yet it makes it a fixed policy of the Government for an indefinite period. There is no limit fixed for the experiment.

These measures propose the impossible. We can not, by law, without taxing the people for the benefit of a class, kill off the corn borer or the boll weevil, abolish the late frosts, wipe out overproduction, and give the public a bigger appetite. I regret that I find myself constrained to vote against both proposals as unsound and dangerous precedents.

Finally, about half the Members of this body believe with President Hoover that the debenture plan would bring disaster to America. The other half, who are all enthusiasts for farm relief, believe that the administration bill will give no relief to the farmer and even its supporters do not dare suggest more than to advocate it as an experiment.

Mr. President, let me sum up my opposition by quoting from an editorial of one of the leading farm journals of the country:

If the Hoover farm relief program goes through, as appears inevitable, American agriculture will be handed one of the most colossal gold bricks in the history of the industry. This farm board places in Washington a supreme power that 10 years ago farmers would have repudiated en masse as bureaucratic and contrary to the spirit of American independence. The proposed legislation gives the board virtually unlimited powers to dictate the policies and management of farm cooperative organizations. Yet by the clever provision that

stabilization corporations, which are to handle exportable surpluses, shall be owned and controlled by the farmers and operated to avoid losses, any failure of the whole scheme would be blamed to the farmers and their organization and not to the Federal board. However, any success would be credited to the administration plan. It is a clear case of "heads I win and tails you lose," with farmers holding the bag, as usual.

Bad as was the rejected equalization fee, and undesirable though the expert debenture may be, they are but mere incidents compared with the fundamental principles in the Hoover farm-relief program that is likely to be enacted. It will get agriculture nowhere except into further trouble. Basically two things are overlooked; first, that farmers themselves and not Washington bureaucrats must relieve American agriculture; and, secondly, that farmers are not looking so much for \$500,000,000 additional indebtedness as they are to reduce present obligations.

Formerly the bulwark of American individual development and progressive independence, it now appears that farmers are to be herded onto the bureaucratic band wagon. The great agricultural industry is to be dictated to and ruled over by board and bureaus with another army of officeholders, clerks, and helpers which taxpayers can support. With the experience of the Federal Farm Loan Board and its doings so fresh in mind, it is strange that farmers can not foresee the outcome of a Federal farm board, with unlimited power and a personnel of which they have not a scintilla of voice in naming.

In this connection I ask to have printed in the RECORD a very able letter written to the Washington Post on April 24 last by former Senator Charles S. Thomas, of Colorado, in opposition to both the proposed farm relief measures.

There being no objection, the letter was ordered to be printed in the RECORD as follows:

[From the Washington Post, April 24, 1929]

THE FARM RELIEF BILLS

By Charles S. Thomas, former Senator from Colorado

To the EDITOR OF THE POST:

SIR: In his letter to Senator McNARY, the President has submitted 10 unanswerable objections to the so-called export debenture plan for subsidizing agriculture. Their truth is too obvious to require discussion or analysis. He might have easily outlined others equally indisputable; for example, that the plan involves the exercise of the taxing power for the sole benefit of a class pursuing a single industry; that it is class legislation of the most sinister and burdensome character, and a precedent for a brood of similar enactments for the stabilization of other pursuits confronted with depressed conditions. Apart from the intolerable additions to the national budget of expenditure, bureaucracy will geometrically progress with such legislation, whose certain collapse spells economic ruin.

But Mr. Hoover, whose intellectual processes, sharpened by rich and varied experiences extending for years over a vast field of observation, fit him for any task, certainly realizes that every criticism he has made of the export debentures plan is equally applicable to the agricultural bill just reported from the House committee; a bill to which Mr. Coolidge, if he were President, would apply the relentless logic of a veto message quite as vigorous as that with which he greeted its two predecessors of the Seventieth Congress.

The \$500,000,000 carried by the House bill through which it is to function for the farming class is a subsidy differing only in amount from the debentures plan. It is designed for the same purpose. It is collected from the same taxpayers by a slightly different process. Its appropriation and expenditure "requires a substantial increase in taxes, so no such expenditure or depletion of revenues as this plan implies from the marginal income of the Government." It will stimulate production, bring profit only to speculators and farm bureaucrats. It will annually call for ever-increasing sums from the public Treasury to disappear in the quicksands of experiment. Paternalism will be too firmly in the saddle to be easily unseated after this costly but curious experiment of amateur economists enters the national blood currents and circulates for a while, yet we may be sure that natural laws will pursue their eternal course however much we may defy and deride them. In the near future we will have our experience, some one presumably will have enjoyed our money, and it is to be devoutly hoped that common sense will have resumed the direction of our Government.

But it is to be regretted that the administration very properly rejects a plan of class legislation running counter to both governmental powers and economic experience and sets the seal of its approval upon another which is equally obnoxious to them. Party pledges are excellent scapegoats sometimes. Generally the party which appeals to them in explanation of fundamental errors deliberately committed with full knowledge of their dire consequences, will not remain immune even when the opposing party is the worse offender. And no one knows better than Mr. Hoover that the legislative program of our politics—agricultural socialism—is loaded with dynamite for him, for us, and for its expectant beneficiaries.

NATIONAL-ORIGINS CLAUSE OF IMMIGRATION ACT

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which is the resolution (S. Res. 37) to discharge the Committee on Immigration from the further consideration of the bill (S. 151) to repeal the national-origins provisions of the immigration act of 1924.

Mr. JONES. Mr. President, if it is expected to have a vote on the national-origins question right away, I shall not interfere with it; otherwise I desire to present a conference report and ask for its immediate consideration.

Mr. REED. Mr. President, I very much hope that we may have a vote on the national-origins question now.

Mr. ROBINSON of Arkansas. We on this side of the aisle are ready to vote.

Mr. HEFLIN and Mr. REED called for the yeas and nays.

Mr. WALSH of Massachusetts. Mr. President, I object to any vote being taken at this time on the national-origins question. I intend to address the Senate on that subject before a vote is taken.

APPORTIONMENT OF REPRESENTATIVES IN CONGRESS—CONFERENCE REPORT

Mr. JONES. Mr. President, I present the conference report on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 312) to provide for the fifteenth and subsequent decennial censuses and to provide for the apportionment of Representatives in Congress, and I ask unanimous consent for its immediate consideration.

The report was read, as follows:

DECENNIAL CENSUS AND APPORTIONMENT OF REPRESENTATIVES

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 312) to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 6.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 5, 12, 13, 14, 15, and 16, and agree to the same.

Amendment numbered 4: That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "eight months from the beginning of the enumeration"; and the House agree to the same.

Amendment numbered 7: That the Senate recede from its disagreement to the amendment of the House numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the House amendment insert the following: "Provided further, That in making any appointments under this act to positions in the District of Columbia or elsewhere, preference shall be given to persons discharged under honorable conditions from the military or naval forces of the United States who served in such forces during time of war and were disabled in the line of duty, to their widows, and to their wives if the husband is not qualified to hold such positions"; and the House agree to the same.

Amendment numbered 8: That the Senate recede from its disagreement to the amendment of the House numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "without regard to the civil service laws or the classification act of 1923, as amended, except that such special agents shall be appointed in accordance with the civil service laws"; and the House agree to the same.

Amendment numbered 9: That the Senate recede from its disagreement to the amendment of the House numbered 9, and agree to the same with an amendment as follows: Omit the matter proposed to be stricken out and the matter proposed to be inserted by the House amendment; and the House agree to the same.

Amendment numbered 10: That the Senate recede from its disagreement to the amendment of the House numbered 10, and agree to the same with an amendment as follows: Omit the matter proposed to be stricken out by the House amendment and in lieu thereof insert the following: "to unemployment" and a comma; and the House agree to the same.

Amendment numbered 11: That the Senate recede from its disagreement to the amendment of the House numbered 11, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following: "April"; and the House agree to the same.

W. L. JONES,
HIRAM W. JOHNSON,
A. H. VANDENBERG,
DUNCAN U. FLETCHER,
MORRIS SHEPPARD,
Managers on the part of the Senate.

CARL R. CHINDBLOM,
E. HART FENN,
CLARENCE J. MCLEOD,
J. E. RANKIN,
RALPH F. LOZIER,
Managers on the part of the House.

Mr. NORRIS. Mr. President, I hope the Senator will not make a request for the present consideration of the report. I have no objection to its presentation, but I hope the Senator will not try to take it up to-day.

Mr. JONES. I did not anticipate that there would be any serious opposition to the conference report.

Mr. NORRIS. So far as I am concerned there may not be. I have not had an opportunity as yet to examine it. I should like to do so before it is taken up. It may be that there will be no opposition, but I can not tell the Senator now as to that.

Mr. JONES. I can state in about a minute what the situation is with reference to the two really disputed points.

Mr. NORRIS. I think I know concerning the disputed point in which I feel a particular interest what the conference report provides.

I should like to say to the Senator from Washington that I have no disposition, in the first place, to delay the consideration of the report. It may be that I shall not take up any time on it; I think I know what decision has been reached in regard to the particular point in which I am most interested; but I have had absolutely no time to consult with other Senators who feel as I do about it. I think the reason why I have not done so is perfectly apparent, so that I think I am not negligent in any way.

Mr. JONES. Not at all.

Mr. NORRIS. I should like not so much, perhaps, to examine it, although I want to do that, as to consult with several other Senators about the advisability of opposition to the report at the present time. I have not any idea, I repeat, whether there will be an opposition to it or not. So I should like, if the Senator will consent to do that, to have the report go over.

Mr. KING. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES. I yield.

Mr. KING. I have a resolution here which relates to the business of the Senate and ought to be acted upon before recess shall be taken. It relates to the witness, Cunningham, who was brought before the committee and refused to answer. It is a supplementary and necessary resolution and will take no time. I want to present it and have it acted upon.

Mr. JONES. Mr. President, I will yield in a few moments. I appreciate the attitude of the Senator from Nebraska, and I know that the Senator has not had an opportunity to study the report. I have no doubt there will be no unnecessary delay in regard to it. I am going to state the action of the conferees with reference to the two propositions which I think were really the controverted ones, and then I will let the conference report go over.

Mr. WAGNER. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from New York?

Mr. JONES. I will yield in just a moment. With reference to the date of taking the census, there was a controversy, and the conferees have agreed that the taking of the census shall be begun on the 1st day of April, 1930. The House fixed the date as the 1st day of May, the Senate fixed it as the 1st day of November. The first conference agreed on the 1st day of November. The House rejected that conference report. So the conferees finally agreed upon April 1.

The other disputed proposition, I think, was with reference to census employees being selected under civil-service rules. We found the House really adamant in their opposition to the attitude of the Senate; but we finally persuaded the House conferees to agree to place the special agents under the civil service.

Now I yield to the Senator from New York.

Mr. WAGNER. Mr. President, the civil-service provision, to which the Senator has just referred, was the one in which I was particularly interested.

Mr. JONES. I realize that.

Mr. WAGNER. Unfortunately, I have an engagement to-morrow which will prevent my being here, and so I wonder if the Senator will consent to have the conference report considered on Thursday? That would involve only one day's delay. We shall be in session that long, anyway, and I may want to address the Senate on the compromise proposal.

Mr. WALSH of Massachusetts. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. JONES. I yield.

Mr. WALSH of Massachusetts. I wish to state to the Senator that I have conferred with the leader on this side, and also with the Senator from Pennsylvania, and they both have agreed to protect me during my absence to-morrow occasioned by an engagement which I made about six months ago. Therefore, there may not be any business before the Senate if the national-origins question shall not be taken up to-morrow. I thought I ought to say that much to the Senator, in view of the fact that I also expect to be away to-morrow, and I am giving this information to the Senate for the purpose of having the Senator from Washington realize that there may be no business at all before the Senate to-morrow.

NATIONAL-ORIGINS CLAUSE OF IMMIGRATION ACT

Mr. REED. Mr. President, may we understand that we can have a vote on the immigration question on Thursday next?

Mr. WALSH of Massachusetts. So far as I am concerned, I will very cheerfully agree to have a vote taken on Thursday, and I want to thank the Senator for accommodating me during my absence to-morrow.

Mr. LA FOLLETTE. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Wisconsin?

Mr. JONES. I yield.

Mr. LA FOLLETTE. The junior Senator from North Dakota [Mr. NYE] is temporarily out of the Chamber, having been called to answer a long-distance telephone message. I do not know whether he will object or not.

Mr. NYE entered the Chamber.

Mr. REED. I am not asking unanimous consent now for a vote at any particular time, but I should like to have it understood that we may have a vote on Thursday. I have been accused, I believe, of filibustering on this matter. My only desire was not to confuse the debate on the immigration question with that of the farm relief bill. Now, we have disposed of the conference report on the farm relief bill, and I should like very much to get a vote at the earliest possible date on the resolution as to the national-origins clause.

Mr. NYE. Does the Senator—

The VICE PRESIDENT. The Senator from Washington has the floor. Does he yield to the Senator from North Dakota?

Mr. JONES. I yield.

Mr. NYE. Do I understand the Senator from Pennsylvania to say that he believes we can get a vote by Thursday on the immigration resolution?

Mr. REED. I hope we can.

Mr. NYE. Can we agree at this time to fix an hour for voting on Thursday?

Mr. REED. I should be willing to agree, Mr. President, that we have a vote at 3 o'clock on Thursday afternoon. I will make such a request in this form: That when the Senate concludes its business to-morrow it take a recess until noon on Thursday; that after the hour of 2 o'clock on that day debate shall be limited to 10 minutes on the part of each Senator; and that at the hour of 3 o'clock, without further debate, the Senate shall proceed to vote upon the unfinished business.

Mr. BLEASE. I object.

Mr. NYE. Mr. President, will the Senator not be willing to make it not later than 3 o'clock?

Mr. REED. I will say, then, "not later than 3 o'clock."

Mr. NYE. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield further to the Senator from North Dakota?

Mr. JONES. I yield.

Mr. NYE. The Senator from Pennsylvania makes the agreement dependent, then, upon the disposal of the conference report which is now before the Senate?

Mr. REED. Not at all.

Mr. NORRIS. Mr. President, I should like to ask—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. JONES. I yield.

Mr. NORRIS. I should like to ask the Senator from Pennsylvania not to modify his original request. Of course, the unfinished business is merely a resolution and is not subject to amendment or anything of that kind.

Mr. REED. I have not said anything about amendments.

Mr. NORRIS. I understand that; but the Senator has changed his original suggestion so as to provide for a vote not later than 3 o'clock. I wish the Senator would omit those words and say "at 3 o'clock."

Mr. REED. I am perfectly willing to do that—to vote at 3 o'clock.

Mr. LA FOLLETTE and Mr. WALSH of Massachusetts addressed the Chair.

The VICE PRESIDENT. Does the Senator from Washington yield; and if so, to whom?

Mr. JONES. I yield first to the Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, I was merely going to suggest that if a definite hour is to be fixed for a vote, under the rule, the roll should be called before entering into the agreement.

The VICE PRESIDENT. That is not necessary in the case of a resolution of this kind. The rule applies to agreements for a final vote on bills and joint resolutions.

Mr. LA FOLLETTE. I merely wish to suggest that certainly the spirit of the rule in a matter which is as of great importance as this ought to be carried out.

Mr. NORRIS. The Senators are now practically all here.

Mr. WALSH of Massachusetts. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. JONES. I yield.

Mr. WALSH of Massachusetts. Mr. President, the unanimous-consent proposal is agreeable to me. I should like to suggest, however, that those who may desire to speak upon the national-origins question shall be permitted to do so in preference to speeches upon other subjects. We had this afternoon the spectacle of several Senators trying to get the floor to explain their vote on the conference report and being unable to do so because three or four Senators occupied the entire time. I, therefore, think the suggestion of the Senator that the debate should be limited is a very excellent one; it has my approval, and I will consent to the proposed agreement if he will add to it the suggestion that Senators who may desire to speak upon the national-origins subject shall be given preference.

Mr. REED. Mr. President, I do not believe it is necessary to make that suggestion a part of the unanimous-consent agreement. I think there is a general understanding that that course would be just, and I believe the Senate will observe such an understanding.

Mr. GLASS. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I yield.

Mr. GLASS. As a matter of fact, objection has already been interposed. So why discuss the question?

Mr. REED. I have not heard any objection.

Mr. BLEASE. I have objected.

Mr. GLASS. The Senator from South Carolina objected.

Mr. JONES. Mr. President, if we can have an understanding that we will dispose of the conference report on the apportionment and census bill on Thursday, I will have no objection to putting it over until that day, but unless we can have such an understanding, I think, perhaps, we had better proceed with the report. I am satisfied it will not take very long.

Mr. REED. Mr. President, will the Senator from Washington yield to me to submit another request for unanimous consent?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Pennsylvania?

Mr. JONES. I yield.

Mr. REED. I ask unanimous consent that further debate upon the national-origins resolution be limited to 10 minutes on the part of any Senator and that we proceed to vote upon it at 5 o'clock this afternoon.

The VICE PRESIDENT. Is there objection?

Mr. WALSH of Massachusetts. I object to that.

CENSUS AND APPORTIONMENT—CONFERENCE REPORT

Mr. JONES. Mr. President, I ask unanimous consent that on Thursday we may dispose of the conference report which I have presented. That will not fix any definite time on Thursday, but I do not want the Senate to adjourn or recess on that day until the conference report shall have been disposed of. As I said a moment ago, I do not think it will take very long to act upon the conference report.

Mr. ASHURST. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Arizona?

Mr. JONES. I yield.

Mr. ASHURST. I have not examined the report, but am I correct in my understanding that it is a unanimous report?

Mr. JONES. It is.

Mr. ASHURST. I should like to ask the Senator what became of the amendment, which I believe was adopted in the Senate, which proposes that as to positions not within the classified or civil service direct preference shall be given to veterans of our various wars?

Mr. JONES. That is taken care of.

Mr. ASHURST. Then I am very heartily in favor of the adoption of the report.

Mr. BLEASE and Mr. WAGNER addressed the Chair.

The VICE PRESIDENT. Does the Senator from Washington yield; and if so, to whom?

Mr. JONES. I yield first to the Senator from South Carolina.

Mr. BLEASE. Mr. President, I wish to make my position plain in connection with my objection to fixing a time for a vote. I agree thoroughly with what the Senator from Massachusetts [Mr. WALSH] has said, and I shall object in the future, if I am in the Senate, to any time being fixed by unanimous consent for a vote unless it be provided that the time allotted before the vote shall be devoted to a discussion of the subject upon which the Senate is to vote. If we should now agree to vote at 3 o'clock on Thursday, some Senator might get the floor, and, in violation of the spirit of the rule of the Senate, yield the floor for 5 or 10 minute speeches by other Senators. That would certainly be against the rules. However, one Senator may hold the floor and parcel it out to whom he pleases so that others who desire to express themselves may have no opportunity to express their views. I think the Senator from Massachusetts said that happened this afternoon.

I do not care to say very much on the national-origins question, but reference was made the other day to a Senator on this side who voted for the national-origins clause as being prejudiced against the German race. I propose to show by history that no South Carolinian who is an honest man can be prejudiced against the German people.

Mr. REED. Mr. President, I am willing to add to my request that after the hour of 1 o'clock on Thursday debate shall be limited to the subject of the unfinished business, and that the Chair shall be the judge of the relevancy of debate.

Mr. BRATTON. To that I object.

The VICE PRESIDENT. Objection is made.

Mr. JONES. Mr. President, I ask unanimous consent that the conference report may be disposed of on the calendar day of Thursday.

The VICE PRESIDENT. Is there objection?

Mr. WATSON. May I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Indiana?

Mr. JONES. I yield.

Mr. WATSON. The Senate seems to be divided here as between the immigration question and the reapportionment measure. I hope that no kind of arrangement will be entered into that will compel an adjournment over to-morrow without the Senate doing anything. Whatever we undertake, we ought to discuss connectedly, and it seems to me it would be hodgepodge for us to take up both questions, immigration and census, and discuss them both to-morrow indiscriminately. I think the Senator from Washington ought now to insist on proceeding with the conference report immediately; then take it up again for discussion to-morrow, and if not completed then, vote on it on Thursday; but we can not very well have two questions pending and to be voted on the same day. In my judgment that would lead to confusion.

Mr. JONES. I want to say to the Senator that I am perfectly willing, of course, to go on to-day if I can do it; but the Senator heard the statement of the Senator from Nebraska, and I think it is a very reasonable one.

Mr. WATSON. But there is no reason why the Senator from Nebraska can not speak on the matter to-morrow.

Mr. JONES. He may not want to speak. He wants to look into the conference report and acquaint himself with it; that is all.

Mr. WATSON. I will ask the Senator from New York whether there is any reason why he can not proceed to-night to discuss the conference report?

Mr. WAGNER. I have no objection to going on to-night. The Senator from Nebraska asked for an opportunity to look at the conference report.

Mr. NORRIS. Mr. President, will the Senator yield to me?

Mr. JONES. I yield.

Mr. NORRIS. I should like to suggest, while I can not give any assurance of the fact, that going on to-night may only prolong the debate. There may be no debate on the matter. The Senator from New York can not very well take it up to-morrow, because he has an important engagement; but I do not want to take it up to-night.

Mr. WAGNER. Mr. President, if I may interject a remark, this is the first consideration I have asked of the Senate in my own behalf. This engagement was made some three months ago, and for that reason I am asking your indulgence until Thursday morning.

Mr. WATSON. Mr. President, if the Senator will permit me—

The VICE PRESIDENT. Does the Senator from Washington yield further?

Mr. JONES. I yield.

Mr. WATSON. That is entirely proper; but I was wondering if the Senator could not proceed now to the discussion of the bill.

Mr. WAGNER. The Senator from Nebraska suggests that there may be no further debate upon the subject.

Mr. WATSON. What I am trying to do is to arrange matters so that the Senate will have something to do to-morrow.

Mr. NORRIS. Mr. President, will the Senator from Washington yield?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. JONES. I do.

Mr. NORRIS. In order that we may have something to do to-morrow, I ask unanimous consent that when the Senate concludes its business to-day it recess until to-morrow at 12 o'clock, and that thereupon the report of the Committee on Rules on the Jones resolution to amend the rules be laid before the Senate and taken up for consideration. We can consider that matter to-morrow.

Mr. NYE. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from North Dakota?

Mr. JONES. I do.

Mr. NYE. I should like to inquire of the Senator from Nebraska if he would insist upon his request providing there could now be an agreement for a vote upon the national-origins question?

Mr. NORRIS. Oh, no; I would not stand in the way of that.

Mr. NYE. Will the Senator, then, withdraw his request to permit the presentation of another unanimous-consent agreement?

Mr. NORRIS. All right; I withdraw it.

Mr. JONES. I yield to the Senator from North Dakota for that purpose.

NATIONAL-ORIGINS CLAUSE OF IMMIGRATION ACT

Mr. NYE. I ask unanimous consent that starting with the hour of 1 o'clock on Thursday debate shall be limited to 10 minutes, and that at 3 o'clock the Senate shall vote upon Senate Resolution 37.

The VICE PRESIDENT. Is there objection?

Mr. ROBINSON of Arkansas. Just a moment. When does the Senator propose to proceed to the consideration of the resolution?

Mr. NYE. It is the unfinished business before the Senate; but I propose that, starting at 1 o'clock on Thursday, debate shall be limited to 10 minutes.

Mr. ROBINSON of Arkansas. I have no objection.

Mr. VANDENBERG. Mr. President, I desire to know what status then remains for the conference report that has been presented by the Senator from Washington. I shall have to object to any arrangement that puts that conference report over until Friday, and then probably into the following week.

Mr. JONES. I was going to ask, then, if that agreement was made, that at 3 o'clock we proceed to the consideration of this conference report, and let it be disposed of on that calendar day.

The VICE PRESIDENT. Is there objection?

Mr. SWANSON. I object. It might take all day and all evening.

Mr. NYE. Mr. President—

The VICE PRESIDENT. The Senator from Washington has the floor. To whom does he yield?

Mr. JONES. I yield to the Senator from North Dakota.

Mr. NYE. Has the unanimous-consent agreement been entered into?

The VICE PRESIDENT. It has not. There was objection.

Mr. NYE. Then I modify the request so as to provide for a final vote at 2.45 instead of 3 o'clock. I propose that modification because one Senator desires to leave at 3 o'clock.

Mr. REED. I shall object to that. I will agree to vote at 3 o'clock, but not at 2.45 unless the Senator will provide us with a pair for the Senator from Wyoming [Mr. KENDRICK]. We might as well be frank about this matter.

Mr. GLENN. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Illinois?

Mr. JONES. I yield.

Mr. GLENN. I withdraw my request for 15 minutes. I think I can catch the train in five minutes.

Mr. NYE. Then I withdraw my modification of the unanimous-consent agreement.

The VICE PRESIDENT. Is there objection to the unanimous-consent agreement?

Mr. VANDENBERG. I object, unless there can be related to it a satisfactory unanimous-consent agreement for voting on the conference report on the apportionment bill.

If the Senator will yield to me further, the Senator from New York [Mr. WAGNER] seeks to speak only for 10 or 15 minutes. As I understand, he wishes to make a brief statement. It seems to me that he could make it this evening, and that the conference report could be determined to-morrow with almost no debate at all. The conferees of the Senate and of the House are absolutely unanimous, and there is no basis for further controversy.

Mr. GLASS. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I do.

Mr. GLASS. If there is one thing above another that no Senator can predict, it is how long a Senator will speak. We were told here to-day, for example, that a Senator would occupy only 30 minutes. He occupied within 5 minutes of 2 hours; and others of us who wanted to engage in what some people appear to think is the difficult task of explaining our votes on the debenture were utterly denied the privilege of doing so.

I console myself with the reflection that a statement made after the vote was taken will make about as much impression upon the result as some of the speeches delivered to-day made upon the result. Therefore I desire an opportunity to explain my vote on the debenture. I would as soon do it to-morrow as to-day, or day after to-morrow as to-morrow; but I am not going upon the presumption that any Senator will want to speak only 10 minutes.

Mr. WATSON. Mr. President, what is the unanimous-consent proposal?

CENSUS AND APPORTIONMENT—CONFERENCE REPORT

Mr. JONES. I am perfectly willing to couple my request with the request of the Senator from North Dakota [Mr. NYE], that at the conclusion of the vote on Resolution No. 37 the conference report may be taken up and disposed of on that calendar day.

Mr. SWANSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I yield to the Senator.

Mr. SWANSON. I should object to any agreement to vote on that calendar day. If that were done, we might stay here until midnight, and I am not willing to do it. The Senator is. He has charge of the bill; but I will not agree to it, and I shall object. Let us fix a specific time to vote.

Mr. JONES. I am perfectly willing to fix a specific time to vote.

Mr. HEFLIN. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Alabama?

Mr. JONES. I do.

Mr. HEFLIN. I desire to suggest to the Senator that he request that the Senate proceed to the consideration of the conference report immediately after the vote is had on the national-origins resolution. I do not think the conference report will take very long.

Mr. JONES. I do not think so, either.

Mr. SWANSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I do.

Mr. SWANSON. I am willing to vote at 6 o'clock or at 5 o'clock, but I am not willing to have such a unanimous-consent agreement that if the Senate wants to adjourn it can do so only after the bill is passed. If that were done, 94 Senators might be held here until 12 o'clock at night by one man.

Mr. JONES. Then I propose that we vote on the conference report not later than 5.30. That will give ample time. It will not take that much time.

Mr. SMITH. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from South Carolina?

Mr. JONES. I yield.

Mr. SMITH. Let me suggest that immediately upon the disposal of the immigration question we proceed to the consideration of the conference report on the census bill.

Mr. JONES. That is what I proposed.

Mr. SMITH. The chairman states that it is a unanimous report, and apparently there will be very little objection to it. Why make it impossible to have a unanimous-consent agreement by fixing some definite time to vote on it? If we take it up, it is very possible that we will dispose of it before the day is over; and if we do not, we will dispose of it when those who want to discuss it are through.

Mr. WAGNER. Mr. President—

Mr. JONES. I yield to the Senator from New York.

Mr. WAGNER. I do not want to have any misunderstanding that this discussion on the question of the adoption of the conference report will be a perfunctory discussion. I have some very emphatic objections to the action of the conference committee on the civil-service amendment, and I should like an opportunity to discuss that question in the Senate.

Mr. SMITH. That is what we are trying to give the Senator.

Mr. WAGNER. Then the Senator proposes that on Thursday the matter be taken up?

Mr. JONES. That is what I propose. That is to accommodate the Senator from New York.

Mr. DILL. Mr. President—

Mr. JONES. I yield to my colleague.

Mr. DILL. The conference report has struck out the radio amendment. I desire to discuss that for a few minutes. I think the suggestion of the Senator from Alabama [Mr. HEFLIN] was highly proper—that the agreement simply provide that the conference report be taken up immediately after the vote on this other matter and await developments. We will have all day Friday, if we do not get through on Thursday.

I suggest making that agreement.

Mr. SWANSON. Mr. President, if the Senator will yield to me—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I do.

Mr. SWANSON. The unfinished business is the motion to discharge the Committee on Immigration from the consideration of the national origins bill. The Senator can get up this conference report only by moving to displace that as the unfinished business.

Mr. JONES. No; the taking up of a conference report is a privileged matter and would not interfere with the unfinished business.

Mr. SWANSON. But it will be necessary to make a motion to do it.

Mr. JONES. Yes; I understand that.

Mr. SWANSON. If the question of consideration is raised, it is in order at any time. It does not seem to me that the Senator can get an agreement to get that matter out of the way until the unfinished business is disposed of. My suggestion was that at 3 o'clock we take a vote on this motion to discharge the Committee on Immigration.

Mr. KING. On what day?

Mr. SWANSON. Thursday—and that this conference report then be made the unfinished business until disposed of.

Mr. JONES. If my colleagues on the conference committee are not satisfied—

Mr. WHEELER. I shall object, Mr. President.

The VICE PRESIDENT. The Senator from Montana objects.

Mr. ASHURST. Mr. President, what is the question?

The VICE PRESIDENT. The Senator from Washington has presented a conference report.

Mr. JONES. I ask unanimous consent to withdraw the conference report, so that when it is presented a motion to take it up will be a privileged motion. Otherwise its consideration will not be privileged. I do not know whether or not that will be satisfactory to the Senator from Nebraska.

Mr. NORRIS. I have no objection to the Senator doing that. When the Senator presents it I know he will not take advantage of anyone's absence.

Mr. JONES. Mr. President, I ask unanimous consent to withdraw the conference report; and I will state then that I expect to present it—

Mr. ASHURST. I object to the withdrawal. It is a privileged matter now.

The VICE PRESIDENT. May the Chair state that the conference report will lie on the table and be printed, which will give it the same status as if presented by the Senator later on?

Mr. JONES. Let me ask the Chair a question. Would a motion at any time on Thursday to take up the conference report and proceed to its consideration be a privileged motion?

The VICE PRESIDENT. The Chair would so hold.

Mr. JONES. Then that is all right. I give notice that I shall move to take it up on Thursday.

NATIONAL-ORIGINS CLAUSE OF IMMIGRATION ACT

Mr. BRATTON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from New Mexico will state it.

Mr. BRATTON. Was the unanimous-consent agreement proposed by the Senator from North Dakota [Mr. NYE] accepted?

The VICE PRESIDENT. It was not.

Mr. BRATTON. I did not understand that anyone objected to it as separated from the conference report on the census bill.

Mr. KING. The Senator from Michigan [Mr. VANDENBERG] objected.

Mr. REED. Mr. President, let me make one final effort to state an agreement.

I ask unanimous consent that when the Senate concludes its business to-morrow it shall take a recess until Thursday noon; that after the hour of 1 o'clock on Thursday debate shall be relevant to the unfinished business, and shall be limited to 10 minutes on the part of each Senator.

Mr. WHEELER. I object.

The VICE PRESIDENT. The Senator from Montana objects.

THOMAS W. CUNNINGHAM—RECUSANT WITNESS

Mr. KING. Mr. President, from the Special Committee Investigating Expenditures in Senatorial Primary and General Elections I report a resolution which I send to the desk, and ask unanimous consent for its present consideration. It will take only a moment.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 89), as follows:

Whereas the Special Committee Investigating Expenditures in Senatorial Primary and General Elections reported to the Senate on March 24, 1928, that a witness, Thomas W. Cunningham, declined to answer certain questions relative and pertinent to the matter then under inquiry, and the Senate agreed to a resolution (S. Res. 179) on March 24, 1928, directing the President of the Senate to issue his warrant commanding the Sergeant at Arms or his deputy to take into custody the body of said Thomas W. Cunningham wherever found, and to bring the said Thomas W. Cunningham before the bar of the Senate, "then and there or elsewhere as it may direct, to answer such questions pertinent to the matter under inquiry as the Senate, through its said committee, or the President of the Senate, may propound, and to keep the said Thomas W. Cunningham in custody to await further order of the Senate"; and

Whereas the President of the Senate did issue his warrant commanding the Sergeant at Arms or his deputy to take into custody the body of the said Thomas W. Cunningham, and pursuant to such warrant said Thomas W. Cunningham was taken into custody by the Deputy Sergeant at Arms; and

Whereas the said Thomas W. Cunningham sued out a writ of habeas corpus in the United States District Court for the Eastern District of Pennsylvania and the said court entered an order discharging the writ and remanding the said Cunningham to the custody of the Sergeant at Arms; and

Whereas an appeal was taken from the order of the said district court to the United States Circuit Court of Appeals for the Third Circuit and the said circuit court of appeals reversed the district court; and

Whereas on writ of certiorari to the Supreme Court of the United States, that court, on May 27, 1929, reversed the judgment of the said circuit court of appeals; and

Whereas pursuant to the decision of the Supreme Court of the United States a mandate will be issued in due course and following the usual procedure to the said district court, and the necessary steps will be taken to provide for the delivery of the said Cunningham into the custody of the Sergeant at Arms or his deputy; and

Whereas the Senate may not be in session when the said Cunningham is taken into custody by the said Sergeant at Arms or his deputy: Therefore be it

Resolved, That the Sergeant at Arms of the Senate is hereby authorized, after Thomas W. Cunningham is taken into custody, to release him from custody upon the furnishing by the said Cunningham of a good and sufficient bond in the sum of \$1,000, to be approved by the Secre-

tary of the Senate, conditioned upon the appearance of the said Cunningham at the bar of the Senate at such time or times as the Senate may require.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. BLEASE. Mr. President, I would like to ask the Senator from Utah if the questions which Mr. Cunningham refused to answer related to the general election or to the primary?

Mr. LA FOLLETTE. Mr. President, will the Senator from Utah yield?

Mr. KING. I yield.

Mr. LA FOLLETTE. The questions related to the primary.

Mr. BLEASE. Then, I object to the consideration of the resolution.

Mr. REED. Mr. President, I hope the Senator will not object.

Mr. BLEASE. I do not believe in the United States Senate having anything to do with a party primary, and I object.

Mr. REED. I do not think the Senator heard the resolution.

Mr. BLEASE. Yes; I heard it.

Mr. KING. Mr. President, I move that the Senate proceed to the consideration of the resolution.

Mr. LA FOLLETTE. Mr. President, as much as I want to see the resolution taken up, I fear that motion would necessitate laying aside the unfinished business.

Mr. KING. I think we can dispose of it in a few moments.

Mr. WALSH of Montana. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. WALSH of Montana. Is not the resolution of a privileged character?

The VICE PRESIDENT. It is.

Mr. WALSH of Montana. Would the consideration of the resolution affect the status of the unfinished business?

The VICE PRESIDENT. It would not.

Mr. LA FOLLETTE. Then, I hope the Senator from Utah will make his motion.

Mr. KING. I move that the Senate proceed to the consideration of the resolution.

Mr. NORRIS. Will the Senator yield for a question before we take it up?

Mr. KING. I yield.

Mr. NORRIS. Can the Senator give us any idea as to how soon the mandate of the court is likely to be handed down? This action may be unnecessary. The Senate may be in session.

Mr. KING. I am advised it will be several weeks before the mandate will go down and the necessary order entered.

Mr. NORRIS. The idea occurred to me that if we should not take a recess this resolution would be unnecessary. I have no objection to it.

Mr. KING. Of course, if we should be in session, then the resolution would not go into effect, and the Sergeant at Arms would bring Mr. Cunningham to the bar of the Senate; but this is anticipating that possibly there will be a recess. It seems to me it is a very wise precaution to be taken, because the Sergeant at Arms would not desire to hold Mr. Cunningham in custody for an indefinite period, or until the Senate returned.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Utah that the Senate proceed to the consideration of the resolution.

The motion was agreed to.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. BLEASE. Mr. President, there is no rule requiring a Senator to speak on this resolution for an hour?

The VICE PRESIDENT. There is not.

NATIONAL-ORIGINS CLAUSE OF IMMIGRATION ACT

Mr. BLEASE. I want to answer in part the argument made on the floor of the Senate a few days ago when one Senator stated that a vote in favor of the national-origins clause was a vote showing prejudice against the German race.

Mr. WATSON. Mr. President, will the Senator from South Carolina yield to me to move an executive session?

Mr. BLEASE. I yield.

EXECUTIVE SESSION

Mr. WATSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened; and the Senate (at 5 o'clock p. m.) took a recess until to-morrow, Wednesday, June 12, 1929, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 11 (legislative day of June 4), 1929

THIRD ASSISTANT POSTMASTER GENERAL

Frederick A. Tilton, of Michigan, to be Third Assistant Postmaster General, vice Robert S. Regar, resigned.

PURCHASING AGENT FOR THE POST OFFICE DEPARTMENT

Robert S. Regar, of Pennsylvania, to be purchasing agent for the Post Office Department, vice Thomas L. Degnan, term expired.

VICE CONSULS

The following-named persons to be vice consuls of career of the United States of America:

Elvin Seibert, of New York.
Edward T. Wailes, of New York.
John C. Shillock, jr., of Oregon.
J. Laurence Pond, of Connecticut.
James W. Gantenbein, of Oregon.

FOREIGN SERVICE OFFICERS

The following-named persons to be Foreign Service officers, unclassified, of the United States of America:

Elvin Seibert, of New York.
Edward T. Wailes, of New York.
John C. Shillock, jr., of Oregon.
J. Laurence Pond, of Connecticut.
James W. Gantenbein, of Oregon.

COAST GUARD

Edward A. Daday to be a temporary ensign in the Coast Guard of the United States, to take effect from date of oath. (This person has passed satisfactorily the educational, professional, and physical examinations prescribed for appointment.)

APPOINTMENTS IN THE ARMY

The following-named cadets, United States Military Academy, who are scheduled for graduation on June 13, 1929:

To be second lieutenants with rank from June 13, 1929

CORPS OF ENGINEERS

1. Cadet Horace Fennell Sykes, jr.
2. Cadet Raymond Leslie Hill.
3. Cadet Frank Lee Blue, jr.
4. Cadet George Arthur Lincoln.
5. Cadet Kenneth David Nichols.
6. Cadet Don Zabriskie Zimmerman.
7. Cadet Ernest Ward Carr.
8. Cadet James Adolph Ostrand, jr.
9. Cadet Charles Theodore Tench.
10. Cadet Frank Hartman Forney.
11. Cadet Frederick Rodgers Dent, jr.
12. Cadet Harold Huntley Bassett.
13. Cadet Paul Williams Thompson.
14. Cadet Howard Moore.
15. Cadet John Floyd McCartney.
16. Cadet Carl Roemer Jones.
17. Cadet James Lee Majors.
18. Cadet Alvin Galt Viney.
19. Cadet Walter King Wilson, jr.
20. Cadet Bruce Douglas Rindlaub.
21. Cadet Herbert Milwit.
22. Cadet Ward Terry Abbott.
23. Cadet Benjamin Richard Wimer.
24. Cadet John Lloyd Person.
26. Cadet Frank Eugene Fries.
27. Cadet Thomas Atkins Adcock.

FIELD ARTILLERY

28. Cadet Thomas John Sands.
29. Cadet John Stein Walker.
30. Cadet James Burt Evans.
31. Cadet Frederic Henry Chaffee.
34. Cadet Richard David Wentworth.
36. Cadet Warren Cecil McDermid.
37. Cadet William Jonathan Thompson.
38. Cadet James Percy Hannigan.
40. Cadet De Vere Parker Armstrong.
42. Cadet Douglas Golding Dwyre.
43. Cadet Clayton Earl Hughes.
44. Cadet Paul Singer Thompson.
45. Cadet Franklin Pierce Miller.
48. Cadet David Ferdinand Brown.
50. Cadet John Knox Poole.
51. Cadet Philip Henry Draper, jr.
56. Cadet Harold Quiskie Huglin.
64. Cadet Carl Henry Jark.

67. Cadet Robert Emzy Chandler.
 71. Cadet Roy Eugene Hattan.
 74. Cadet John Elliot Theimer.
 75. Cadet William Price Connally, jr.
 76. Cadet John Coleman Horton.
 77. Cadet George William Peake.
 78. Cadet Dale Raymond French.
 79. Cadet Walter Elmer Kraus.
 81. Cadet Stanley Henry Ayre.
 82. Cadet David Mural Perkins.
 84. Cadet Robert Maurice Kraft.
 86. Cadet Ralph Robert Mace.
 89. Cadet Norman Edwin Poinier.
 92. Cadet John David Francis Phillips.
 94. Cadet Sidney Andrew Ofsthun.
 96. Cadet William Evens Hall.
 98. Cadet Frederic Harrison Smith, jr.
 99. Cadet William James Latimer.
 100. Cadet Donald John Keirn.
 101. Cadet Luster Azil Vickrey.
 106. Cadet Nyles Wilkenson Brewster.
 107. Cadet Dwight Bahney Schannep.
 112. Cadet Robert Moffat Losey.
 113. Cadet Daniel Norman Sundt.
 114. Cadet James Lee Beynon.
 115. Cadet William Tremlett Kirn.
 117. Cadet Harold Stevens Whiteley.
 118. Cadet John Jackson O'Hara, jr.
 119. Cadet Charles Sherlock Vanderblue.
 120. Cadet John Spencer Nesbitt.
 122. Cadet James Gordon Harding.
 124. Cadet Emery Scott Wetzel.
 125. Cadet Frank M. Steadman.
 129. Cadet Francis Emmons Fellows.

SIGNAL CORPS

35. Cadet Robert George Henry Meyer.
 46. Cadet Dominick Joseph Calidonna.
 62. Cadet Harold George Hayes.
 65. Cadet Donald Philip Graul.
 69. Cadet Charles Sommers.
 102. Cadet Philip Chauncey Bennett.
 104. Cadet Airel Burr Cooper.
 109. Cadet James Franklin Brooke, jr.
 128. Cadet William Darwin Hamlin.
 172. Cadet William Gilmer Bowyer.

CAVALRY

32. Cadet Roger James Browne.
 39. Cadet John Gresham Minniece, jr.
 52. Cadet George Ross Sutherland.
 55. Cadet Paul William Shumate.
 66. Cadet Charles Blake McClelland, jr.
 68. Cadet Edwin Hugh John Carns.
 70. Cadet Joseph Milton Colby.
 72. Cadet John James LaPage.
 103. Cadet Donald Wilbur Armagost.
 108. Cadet George Waite Coolidge.
 116. Cadet William Hopkins Greear.
 121. Cadet Milton Andre Acklen.
 123. Cadet Chandler Prather Robbins, jr.
 134. Cadet Paul Donal Harkins.
 135. Cadet Thomas Fowler Taylor.
 136. Cadet Mortimer Ernest Sprague.
 138. Cadet Edward Jamet McNally.
 139. Cadet Eric Hilmer Frithiof Svensson, jr.
 147. Cadet Frank Dow Merrill.
 148. Cadet George Rodolphus Hays, jr.
 149. Cadet Louis Mortimer de Lisle de Riemer.
 151. Cadet Hugh Warner Stevenson.
 156. Cadet Joseph Reisner Ranck.
 159. Cadet William Ernest Karnes.
 163. Cadet Donald Manzanato Schorr.
 171. Cadet Wayne James Dunn.
 180. Cadet Charles Clarke White Allan.
 182. Cadet James Bernard Quill.

COAST ARTILLERY CORPS

41. Cadet Merle Russell Thompson.
 54. Cadet Paul Elias.
 59. Cadet James Theodore Barber.
 60. Cadet Andrew Samuels, jr.
 61. Cadet Lawrence McIlroy Guyer.
 63. Cadet Joseph Horridge.
 73. Cadet Wayland Henry Parr.
 83. Cadet Rudolph Fink.
 85. Cadet Oliver Hardin Gilbert.

87. Cadet Edwin George Griffith.
 88. Cadet William Lewis McCulla.
 91. Cadet Laurance Hilliard Brownlee.
 95. Cadet George Richard Carey.
 105. Cadet William Miller Vestal.
 110. Cadet Kenneth Johnson Woodbury.
 111. Cadet Norman Alverton Congdon.
 127. Cadet Jacob George Reynolds.
 132. Cadet Henry Ray McKenzie.
 141. Cadet William Milstead Talbot.
 145. Cadet Calvin Luther Partin.
 150. Cadet George Eldridge Keeler, jr.
 153. Cadet Robert Loomis Anderson.
 155. Cadet Harland Holmes DeKaye.
 158. Cadet Edward Blackburn Hempstead.
 164. Cadet Kai Edward Rasmussen.
 167. Cadet Howard Earl Pearson.
 170. Cadet William Fulton McKee.
 176. Cadet Kenneth Milton Briggs.
 179. Cadet Paul William Steinbeck, jr.
 193. Cadet Samuel Victor Stephenson.
 196. Cadet Edward Auld Dodson.
 197. Cadet Ernest Fred Heidland.
 199. Cadet Charles Greene Calloway.
 202. Cadet William Hastings Francis.
 203. Cadet Thomas Benton McDonald.
 207. Cadet John Russell Seward.
 211. Cadet Daniel Campbell Doubleday.
 212. Cadet Harlan Clyde Parks.

INFANTRY

25. Cadet Harry Gage Montgomery, jr.
 33. Cadet Joseph Jennings Ladd.
 49. Cadet Thomas Ludwell Bryan, jr.
 53. Cadet Richard Lee Babb.
 57. Cadet William Lewis Bell, jr.
 58. Cadet Andrew McKeefe.
 90. Cadet Roy Garfield Cuno.
 126. Cadet William Lafayette Fagg.
 130. Cadet John Myron Underwood.
 131. Cadet Thomas West Hammond, jr.
 137. Cadet Dexter Marvin Lowry, jr.
 140. Cadet Donald Alexander Poorman.
 142. Cadet George Milton Beaver.
 143. Cadet George Elial Bush, jr.
 144. Cadet William Carson Bullock.
 146. Cadet Robert William Ward.
 152. Cadet Leroy William Krauthoff.
 154. Cadet James Leitch Grier.
 157. Cadet Joseph Marcellus Lovell.
 160. Cadet George Rich Barnes.
 161. Cadet Robert Gordon Crandall.
 162. Cadet Theodore Rudolph Redlack.
 165. Cadet John Wesley Hammond.
 166. Cadet Laurence Neville Buck.
 168. Cadet Paul Wyatt Caraway.
 173. Cadet Eugene Louis Moseley.
 174. Cadet Edgar Thomas Conley, jr.
 175. Cadet John Reynolds Callery.
 178. Cadet Richard Claire Carpenter.
 181. Cadet Harlan Robinson Statham.
 184. Cadet Robert Little Cook.
 185. Cadet James Maurice Gavin.
 186. Cadet Fred Winchester Sladen, jr.
 187. Cadet George Francis McAneny.
 188. Cadet Ralph Nisley Woods.
 190. Cadet Russell Lowell Vittrup.
 191. Cadet Dale Joel Kinnee.
 192. Cadet John Drury Cone.
 194. Cadet Lester Skene Bork.
 195. Cadet Ralph Bishop Strader.
 198. Cadet Ralph Van Strauss.
 200. Cadet George Robert Evans.
 201. Cadet John William Stribling, jr.
 204. Cadet Charles Theodore Arnett.
 205. Cadet Louis Anderson Hammack.
 206. Cadet Daniel William Quinn, 3d.
 208. Cadet Melle John Coutlee.
 209. Cadet Helm George Wilde.
 210. Cadet Thomas Jefferson DuBose.
 213. Cadet Paul Lamar Freeman, jr.
 214. Cadet James Joseph Mathews.
 215. Cadet Marshall Stubbs.
 216. Cadet Joseph Allen McNerney.
 218. Cadet Frederick Giddings.
 219. Cadet Charles Newton Hunter.

220. Cadet Jerald Worden McCoy.
 221. Cadet John Alfred Nichols.
 222. Cadet Logan Clarke.
 223. Cadet Randolph Bolling Hubard.
 224. Cadet George Edward Lynch.
 225. Cadet Hugh Mackintosh, jr.
 226. Cadet David Xavier Augluin.
 227. Cadet William Erwin Maulsby, jr.
 228. Cadet Donald Archibald Stevning.
 229. Cadet Carl Bascombe Herndon.
 230. Cadet Charles Guthrie Rau.
 231. Cadet Pearl Harvey Robey.
 232. Cadet Charles Glendon Williamson.
 233. Cadet James Julius Winn.
 234. Cadet Wesley Carlton Wilson.
 236. Cadet Daniel Fulbright Walker.
 237. Cadet John Kauffman Bryan.
 238. Cadet George Putnam Moody.
 239. Cadet Nelson Marquis Lynde, jr.
 240. Cadet Charles Dudley Wiegand.
 241. Cadet Charles Howard Treat.
 242. Cadet Thomas Bolyn Smothers, jr.
 243. Cadet John Francis Regis Seitz.
 244. Cadet Bruce Easley, jr.
 245. Cadet Edgar Wright, jr.
 246. Cadet William Lester Nave.
 247. Cadet Edward Edgcombe Cruise.
 248. Cadet William Edward Murphy, jr.
 249. Cadet Brendan McKay Greeley.
 250. Cadet Ralph Copeland Cooper.
 251. Cadet John Ambrose Geary.
 252. Cadet John Warren Joyes, jr.
 254. Cadet William Henry Shimonek.
 255. Cadet David Haytor Buchanan.
 256. Cadet Stanley Walker Jones.
 257. Cadet Francis Hobdy Lynch.
 258. Cadet Roy Frederick Vincent.
 259. Cadet Ronald John Pierce.
 260. Cadet Keene Watkins.
 261. Cadet James Joseph Fitzgibbons.
 262. Cadet Robert Henry Chard.
 263. Cadet Herbert John Vander Heide.
 264. Cadet Luke Bruce Graham.
 265. Cadet Rexford Wellington Andrews.
 266. Cadet James Oliver Stephenson.
 267. Cadet George Mulick Reilly.
 268. Cadet Norris Slingluff Longaker, jr.
 269. Cadet Cornelius Zane Byrd.
 270. Cadet George Franklin Baltzell, jr.
 271. Cadet Robert Fletcher Sadler.
 272. Cadet Charles Randolph Kutz.
 273. Cadet Normando Antonio Costello.
 274. Cadet John Nicholas Stone.
 275. Cadet Phineas Kimball Morrill, jr.
 276. Cadet Philip William Merrill.
 277. Cadet Thomas Richard Lynch.
 278. Cadet Allan Gullick Fadness.
 279. Cadet Samuel Fayette Silver.
 280. Cadet Charles Freeman Kearney.
 281. Cadet Julian Broster Lindsey.
 282. Cadet Charles Armstrong Lynch.
 283. Cadet Robert Lawrence Love.
 284. Cadet Thomas Norfleet Griffin.
 285. Cadet Thomas Charles Dolan.
 286. Cadet George Frederick Conner.
 287. Cadet Henry Lloyd Knight.
 288. Cadet Clebert Leon Hall.
 289. Cadet Arthur Knight Noble.
 290. Cadet William Franklin Stevenson.
 291. Cadet Harding Palmer.
 292. Cadet Samuel Edwin Mays, jr.
 293. Cadet Robert Campbell Johnson.
 294. Cadet William Richard Parient.
 295. Cadet Robert Van Meter Smith.
 296. Cadet George Van Millett, jr.
 297. Cadet Lionel Theodore Roosevelt Trotter.
 298. Cadet Edwin Michael Van Bibber.
 299. Cadet Whitside Miller.

QUARTERMASTER CORPS

80. Cadet Marshall Stanley Roth.
 93. Cadet Bert Crawford Muse.
 133. Cadet Edmund Chauncey Rockefeller Lasher.
 169. Cadet Elmer Elsworth Kirkpatrick, jr.
 177. Cadet Ezekiel Wimberly Napier.
 183. Cadet William Kerr Ghormley.

189. Cadet Morris Goldberg.
 217. Cadet Clarence Renshaw, jr.
 235. Cadet John Lyford Horner, jr.
 253. Cadet Everett Clifton Hayden.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 11 (legislative day of June 4), 1929

MEMBER OF THE FEDERAL BOARD FOR VOCATIONAL EDUCATION
 Perry W. Reeves.

APPOINTMENTS IN THE ARMY

To be second lieutenants with rank from June 13, 1929

CORPS OF ENGINEERS

Horace Fennell Sykes, jr.	Howard Moore.
Raymond Leslie Hill.	John Floyd McCartney.
Frank Lee Blue, jr.	Carl Roemer Jones.
George Arthur Lincoln.	James Lee Majors.
Kenneth David Nichols.	Alvin Galt Viney.
Don Zabriskie Zimmerman.	Walter King Wilson, jr.
Ernest Ward Carr.	Bruce Douglas Rindlaub.
James Adolph Ostrand, jr.	Herbert Milwit.
Charles Theodore Tench.	Ward Terry Abbott.
Frank Hartman Forney.	Benjamin Richard Wimer.
Frederick Rodgers Dent, jr.	John Lloyd Person.
Harold Huntley Bassett.	Frank Eugene Fries.
Paul Williams Thompson.	Thomas Atkins Adcock.

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Thomas Jahn Sands.	Stanley Henry Ayre.
John Stein Walker.	David Mural Perkins.
James Burt Evans.	Robert Maurice Kraft.
Frederic Henry Chaffee.	Ralph Robert Mace.
Richard David Wentworth.	Norman Edwin Poinier.
Warren Cecil McDermid.	John David Francis Phillips.
William Jonathan Thompson.	Sidney Andrew Ofsthun.
James Percy Hannigan.	William Evens Hall.
De Vere Parker Armstrong.	Frederic Harrison Smith, jr.
Douglas Golding Dwyre.	William James Latimer.
Clayton Earl Hughes.	Donald John Keirn.
Paul Singer Thompson.	Luster Azil Vickrey.
Franklin Pierce Miller.	Myles Wilkenson Brewster.
David Ferdinand Brown.	Dwight Bahney Schannep.
John Knox Poole.	Robert Moffat Losey.
Philip Henry Draper, jr.	Daniel Norman Sundt.
Harold Quiskie Huglin.	James Lee Beynon.
Carl Henry Jark.	William Tremlett Kirn.
Robert Emzy Chandler.	Harold Stevens Whiteley.
Roy Eugene Hattan.	John Jackson O'Hara, jr.
John Elliot Theimer.	Charles Sherlock Vanderblue.
William Price Connally, jr.	John Spencer Nesbitt.
John Coleman Horton.	James Gordon Harding.
George William Peake.	Emery Scott Wetzel.
Dale Raymond French.	Frank M. Steadman.
Walter Elmer Kraus.	Francis Emmons Fellows.

SIGNAL CORPS

Robert George Henry Meyer.	Philip Chauncey Bennett.
Dominick Joseph Calidonna.	Airel Burr Cooper.
Harold George Hayes.	James Franklin Brooks, jr.
Donald Philip Graul.	William Darwin Hamlin.
Charles Sommers.	William Gilmer Bowyer.

CAVALRY

Roger James Browne.	Mortimer Ernest Sprague.
John Gresham Minniece, jr.	Edward Jamet McNally.
George Ross Sutherland.	Eric Hilmer Frithiof Svens-
Paul William Shumate.	son, jr.
Charles Blake McClelland, jr.	Frank Dow Merrill.
Edwin Hugh John Carns.	George Rodolphus Hays, Jr.
Joseph Milton Colby.	Louis Mortimer de Lisle de
John James LaPage.	Rierner.
Donald Wilbur Armagost.	Hugh Warner Stevenson.
George Waite Coolidge.	Joseph Reisner Ranck.
William Hopkins Greear.	William Ernest Karnes.
Milton Andre Acklen.	Donald Manzonato Schorr.
Chandler Prather Robbins, jr.	Wayne James Dunn.
Paul Donal Harkins.	Charles Clarke White Allan.
Thomas Fowler Taylor.	James Bernard Quill.

COAST ARTILLERY CORPS

Merle Russell Thompson.	Joseph Horridge.
Paul Elias.	Wayland Henry Parr.
James Theodore Barber.	Rudolph Fink.
Andrew Samuels, jr.	Oliver Hardin Gilbert.
Lawrence McIlroy Guyer.	Edwin George Griffith.

William Lewis McCulla.
Laurance Hilliard Brownlee.
George Richard Carey.
William Miller Vestal.
Kenneth Johnson Woodbury.
Norman Alverton Congdon.
Jacob George Reynolds.
Henry Ray McKenzie.
William Milstead Talbot.
Calvin Luther Partin.
George Eldridge Keeler, jr.
Robert Loomis Anderson.
Harland Holmes DeKaye.
Edward Blackburn Hempstead.

Kai Edward Rasmussen.
Howard Earl Pearson.
William Fulton McKee.
Kenneth Milton Briggs.
Paul William Steinbeck, jr.
Samuel Victor Stephenson.
Edward Auld Dodson.
Ernest Fred Heidland.
Charles Greene Calloway.
William Hastings Francis.
Thomas Benton McDonald.
John Russell Seward.
Daniel Campbell Doubleday.
Harlan Clyde Parks.

INFANTRY

Harry Gage Montgomery, jr.
Joseph Jennings Ladd.
Thomas Ludwell Bryan, jr.
Richard Lee Babb.
William Lewis Bell, jr.
Andrew McKeeffe.
Roy Garfield Cuno.
William Lafayette Fagg.
John Myron Underwood.
Thomas West Hammond, jr.
Dexter Marvin Lowry, jr.
Donald Alexander Poorman.
George Milton Beaver.
George Elial Bush, jr.
William Carson Bullock.
Robert William Ward.
Leroy William Krauthoff.
James Leitch Grier.
Joseph Marcellus Lovell.
George Rich Barnes.
Robert Gordon Crandall.
Theodore Rudolph Redlack.
John Wesley Hammond.
Laurence Neville Buck.
Paul Wyatt Caraway.
Eugene Louis Moseley.
Edgar Thomas Conley, jr.
John Reynolds Callery.
Richard Claire Carpenter.
Harlan Robinson Statham.
Robert Little Cook.
James Maurice Gavin.
Fred Winchester Sladen, jr.
George Francis McAneny.
Ralph Nisley Woods.
Russell Lowell Vittrup.
Dale Joel Kinnee.
John Drury Cone.
Lester Skene Bork.
Ralph Bishop Strader.
Ralph Van Strauss.
George Robert Evans.
John William Stribling, jr.
Charles Theodore Arnett.
Louis Anderson Hammack.
Daniel William Quinn, 3d.
Mellie John Coutlee.
Helm George Wilde.
Thomas Jefferson DuBose.
Paul Lamar Freeman, jr.
James Joseph Mathews.
Marshall Stubbs.
Joseph Allen McNeerney.
Frederick Giddings.
Charles Newton Hunter.
Jerald Worden McCoy.
John Alfred Nichols.
Logan Clarke.
Randolph Bolling Hubbard.
George Edward Lynch.
Hugh Mackintosh, jr.
David Xavier Angluin.
William Erwin Maulsby, jr.
Donald Archibald Stevning.
Carl Bascombe Herndon.
Charles Guthrie Rau.
Pearl Harvey Robey.

Charles Glendon Williamson.
James Julius Winn.
Wesley Carlton Wilson.
Daniel Fulbright Walker.
John Kauffman Bryan.
George Putnam Moody.
Nelson Marquis Lynde, jr.
Charles Dudley Wiegand.
Charles Howard Treat.
Thomas Boyln Smothers, jr.
John Francis Regis Seitz.
Bruce Easley, jr.
Edgar Wright, jr.
William Lester Nave.
Edward Edgecombe Cruise.
William Edward Murphy, jr.
Brendan McKay Greeley.
Ralph Copeland Cooper.
John Ambrose Geary.
John Warren Joyes, jr.
William Henry Shimonek.
David Haytor Buchanan.
Stanley Walker Jones.
Francis Hobdy Lynch.
Roy Frederick Vincent.
Ronald John Pierce.
Keene Watkins.
James Joseph Fitzgibbons.
Robert Henry Chard.
Herbert John Vander Heide.
Luke Bruce Graham.
Rexford Wellington Andrews.
James Oliver Stephenson.
George Mullick Reilly.
Norris Slingluff Longaker, jr.
Cornelius Zane Byrd.
George Franklin Baltzell, jr.
Robert Fletcher Sadler.
Charles Randolph Kutz.
Normando Antonio Costello.
John Nicholas Stone.
Phineas Kimball Morrill, jr.
Philip William Merrill.
Thomas Richard Lynch.
Allan Gullick Fadness.
Samuel Fayette Silver.
Charles Freeman Kearney.
Julian Broster Lindsey.
Charles Armstrong Lynch.
Robert Lawrence Love.
Thomas Norfleet Griffin.
Thomas Charles Dolan.
George Frederick Conner.
Henry Lloyd Knight.
Clebert Leon Hail.
Arthur Knight Noble.
William Franklin Stevenson.
Harding Palmer.
Samuel Edwin Mays, jr.
Robert Campbell Johnson.
William Richard Parient.
Robert Van Meter Smith.
George Van Millett, jr.
Lionel Theodore Roosevelt Trotter.
Edwin Michael Van Bibber.
Whitside Miller.

QUARTERMASTER CORPS

Marshall Stanley Roth.
Bert Crawford Muse.

Edmund Chauncey Rockefeller Lasher.

Elmer Elsworth Kirkpatrick, jr.
Ezekiel Wimberly Napier.
William Kerr Ghormley.

Morris Goldberg.
Clarence Renshaw, jr.
John Lyford Hornor, jr.
Everett Clifton Hayden.

POSTMASTERS

KENTUCKY

Virginia M. Spencer, Garrett.
Chester A. Dixon, Lothair.
Mattie Pridemore, Pippapass.

PENNSYLVANIA

Jeremiah H. Fetzer, Coopersburg.

HOUSE OF REPRESENTATIVES

TUESDAY, June 11, 1929

The House met at 12 o'clock noon.

The Rev. Newton P. Patterson, D. D., pastor of the First Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, we approach Thee with great humility and a contrite spirit. We humbly recognize Thee as our sovereign Lord.

We thank Thee for the abundant blessings of Thy gracious favor bestowed upon us and upon all the people of our land. We thank Thee for all the material and spiritual blessings of life.

We most heartily beseech Thee to look with favor upon us as we are assembled in Thy presence. Wilt Thou imbue us with the spirit of wisdom, goodness, and truth? Wilt Thou so rule our hearts that law and order, justice and peace, may everywhere prevail? Make us strong and great in true fear of the Almighty and in the love of righteousness, so that being blessed of Thee we may become a blessing to all nations.

Bless the President of these United States, all who are in official capacity, and all citizens of our land, that that true righteousness which exalteth a nation may be our chief effort and our crown of glory, to the praise and the honor of Thy holy name. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF A MEMBER

Mr. WATSON. Mr. Speaker, I present Representative-elect C. MURRAY TURPIN, of the twelfth district of Pennsylvania.

C. MURRAY TURPIN, Representative elect from the twelfth district of Pennsylvania, appeared at the bar of the House and took the oath of office prescribed by law.

APPOINTMENTS BY THE SPEAKER

The SPEAKER. The Chair announces the following appointments:

As directors for the Columbia Institution for the Deaf, Mr. SMITH, of Idaho, and Mr. BLOOM, of New York.

Members of the board of directors for the Columbia Hospital for Women, Mrs. ROGERS, of Massachusetts, and Mrs. NORRIS, of New Jersey.

PROHIBITION ENFORCEMENT

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in connection with the shooting of Henry Wirkkula by Federal agents at International Falls a few days ago.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PITTENGER. Mr. Speaker, the Associated Press yesterday and to-day has furnished the newspapers with accounts of the killing of Henry Wirkkula by Federal enforcement officers assigned to liquor-smuggling duty. The killing took place on June 9, and in the eighth congressional district which I represent in Congress. According to newspaper reports the man was driving an automobile on a public highway in the nighttime. His wife and two small children were riding with him. A command to "halt" was given, and he was in the act of stopping his automobile when he was shot and killed. A sawed-off shotgun in the hands of an officer of the United States was the weapon used to bring about death. The wife and children narrowly escaped the same fate. No liquor was found in the automobile and the driver was on a peaceful mission at the time of the shooting. If investigation proves that this is the correct story of the shooting, then I want to protest in the name of the people of my district against this violation of law and constitutional government. The courts and a jury will determine the responsibility of the party who did the shooting. The merit, or

lack of merit, of prohibition will have nothing to do with that question.

This is one of a series of shootings that have taken place, apparently as a part of an attempted program of law enforcement of the eighteenth amendment. The misguided Federal officer who did the shooting is but an incident in the problem. It is time to inquire if superior officers and men in charge of this work have established and are putting into effect a program where subordinates are authorized to kill upon suspicion. If they deny such a program, then it is high time to find out if private individuals or organizations of individuals put the stamp of approval upon such methods as those which led to the tragedy in question.

I do not favor the killing of a human being as a part of a program of law enforcement. To advocate such a principle is just as bad as to advocate mob law. We do not want a return to barbarian days, when people charged with crime were first killed and their guilt determined afterwards.

Neither can the killing be justified by any principle of law or constitutional government. Every lawyer knows that the right to arrest does not carry with it the authority to kill. There is not a line in the Constitution of the United States that will lend favor to the killing of this man under the facts set forth in the accounts of his death. In fact, the law was violated and the Constitution nullified by what took place.

President Hoover has just recently appointed a Crime Commission. Its duties and objects are well known. I want to wholeheartedly suggest that it can make no better beginning than to investigate the killing of Henry Wirkkula.

I have asked William D. Mitchell, the Attorney General of the United States, and Seymour Lowman, Assistant Secretary of the Treasury, for an investigation and report concerning this killing. I am also asking local authorities for the facts. I have already received from Hugh Reidy, sheriff of Koochiching County, International Falls, Minn., a partial report. Mr. Reidy is a disinterested public official and telegraphed me as follows:

This man Henry Wirkkula was going to his home at Big Falls from International Falls, accompanied by his wife and two small daughters. About 27 miles south of International Falls, on No. 4 Highway, he was flagged by two customs men, one by the name of Emmitt White and the other by the name of Emil Servine. He ran by their sign, and White opened fire on him, killing him instantly and ditching the car. Used sawed-off shotgun. We found 26 buckshot holes in back of car. All holes were high on back of the car, and I and the head of the customs searched the car and found no liquor.

The report of Sheriff Reidy indicates a situation that calls for protest. What about the widow and orphan children of this man? When the investigation is completed I intend to say more to this House respecting our duty to them. Just now I want to say that I take it we are all in favor of law enforcement. But if the killing of innocent men is a part of that program then we had better change the program. If prohibition can only be enforced by the use of sawed-off shotguns in the hands of irresponsible Government agents, then, indeed, have we reached the high tide of fanaticism and bigotry in this matter. We have reached a point where respectable citizens have not only the right but the duty to replace prohibition with some method of Government control under which law and order will prevail.

CENSUS—APPORTIONMENT

Mr. CHINDBLOM. Mr. Speaker, I call up the conference report on the bill S. 312, the census and apportionment bill, and ask unanimous consent that the report alone may be read.

Mr. HASTINGS. Mr. Speaker, will the gentleman yield? May I have five minutes on this conference report?

Mr. CHINDBLOM. I see no objection to that. Of course, the conference report is privileged and the time of debate is one hour, in control of myself. I see no objection to the gentleman having five minutes, but I do not think it ought to be made a matter of record.

Mr. HASTINGS. I know the report is privileged, and I am simply asking that I may have this time before the matter is foreclosed.

Mr. CHINDBLOM. I see no objection to that.

Mr. RANKIN. Will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. RANKIN. Will the gentleman yield me one-half of the time?

Mr. CHINDBLOM. If we need any debate. I was hopeful we would not need much debate.

Mr. RANKIN. I do not know that we will, but one or two gentlemen have asked for time.

Mr. CHINDBLOM. I will, of course, be courteous to the gentleman and yield whatever time would seem to be necessary.

The SPEAKER. The gentleman from Illinois calls up the conference report on the bill S. 312, which the Clerk will report.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 312) to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 6.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 5, 12, 13, 14, 15, and 16, and agree to the same.

Amendment numbered 4: That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "eight months from the beginning of the enumeration"; and the House agree to the same.

Amendment numbered 7: That the Senate recede from its disagreement to the amendment of the House numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the House amendment insert the following: "Provided further, That in making any appointments under the act to positions in the District of Columbia or elsewhere, preference shall be given to persons discharged under honorable conditions from the military or naval forces of the United States who served in such forces during time of war and were disabled in the line of duty, to their widows, and to their wives if the husband is not qualified to hold such positions"; and the House agree to the same.

Amendment numbered 8: That the Senate recede from its disagreement to the amendment of the House numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "without regard to the civil service laws or the classification act of 1923, as amended, except that such special agents shall be appointed in accordance with the civil service laws"; and the House agree to the same.

Amendment numbered 9: That the Senate recede from its disagreement to the amendment of the House numbered 9, and agree to the same with an amendment as follows: Omit the matter proposed to be stricken out and the matter proposed to be inserted by the House amendment; and the House agree to the same.

Amendment numbered 10: That the Senate recede from its disagreement to the amendment of the House numbered 10, and agree to the same with an amendment as follows: Omit the matter proposed to be stricken out by the House amendment, and in lieu thereof insert the following: "to unemployment" and a comma; and the House agree to the same.

Amendment numbered 11: That the Senate recede from its disagreement to the amendment of the House numbered 11, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "April"; and the House agree to the same.

CARL R. CHINDBLOM,

E. HART FENN,

CLARENCE J. MCLEOD,

J. E. RANKIN,

RALPH F. LOZIER,

Managers on the part of the House.

W. L. JONES,

HIRAM W. JOHNSON,

A. H. VANDENBERG,

DUNCAN U. FLETCHER,

MORRIS SHEPPARD,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 312) to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On amendment No. 1: The Senate bill provided for a census of radio sets. The House amendment struck out this provision; and the Senate recedes.

On amendment No. 2: The Senate bill provided for the taking of the census in the year 1929 and every 10 years thereafter. The House amendment changed 1929 to 1930; and the Senate recedes.

On amendment No. 3: The Senate bill provided for the beginning of the 3-year decennial census period on the 1st of July next preceding the census provided for in section 1. The House amendment changed this date to the 1st day of January, 1930, and every tenth year thereafter; and the Senate recedes.

On amendment No. 4: The Senate bill provided that the tabulation of population should be completed within 12 months. The House amendment changed this to six months from the beginning of the enumeration. The Senate recedes with an amendment requiring the completion within eight months from the beginning of the enumeration.

On amendment No. 5: The Senate bill provided for appointment by the Director of the Census of temporary employees in the District of Columbia for the taking of the census, with compensation not to exceed the compensation received by other civil-service employees engaged in like or comparable service. The House amendment struck out this limitation on the compensation; and the Senate recedes.

On amendments Nos. 6, 7, and 8: The Senate bill provided (by the language proposed to be stricken out by amendment No. 6) that, in the case of appointments in the executive branch of the Government in the District of Columbia or elsewhere, preference should be given to honorably discharged soldiers, sailors, marines, and their widows, and to wives of injured soldiers, sailors, and marines if the husband was not qualified to hold the position. The Senate bill further provided (by the language proposed to be stricken out by amendment No. 7) that in making all appointments necessary to the taking of the census preference should be given to American citizens and ex-service men and women. The Senate bill further provided (by the language proposed to be stricken out by amendment No. 8) that in appointments to the field service for taking the census appointments should be made subject to the civil service laws and that direct preference should be given to disabled veterans of wars in which the United States has been engaged.

The House, by amendments Nos. 6 and 7, proposes to strike out the first two of these provisions, and by amendment No. 8 proposes to strike out the third provision and to insert in lieu thereof the requirement that appointments in the field service should be made without reference to the civil service, but that preference should be given to disabled veterans of wars in which the United States has been engaged, and wives of disabled soldiers, sailors, and marines if the husband is not qualified for appointment.

The House recedes on amendment No. 6, which merely restates existing law, and the Senate recedes on amendments Nos. 7 and 8 with amendments providing—

(1) That in making any appointments under this act to positions in the District of Columbia or elsewhere first preference shall be given to honorably discharged United States veterans disabled in the line of duty during any war, to their widows, and to their wives if the husbands are not qualified for appointment; and

(2) That appointments to the field service under the act shall be without reference to civil service laws, except that the special agents shall be appointed under the civil service laws.

On amendment No. 9: The Senate bill provided that employees of the departments and independent offices of the Government may be employed and compensated for field work in connection with the Fifteenth Census, but that when so employed shall not be paid in the aggregate a greater compensation than they would receive for service in the positions held by them. The House amendment strikes out this limitation and inserts a provision that when so employed they shall not be subject to the provisions of section 1765 of the Revised Statutes or section 6 of the act of May 10, 1916, as amended by the act of August 29, 1916, which prohibit a person holding one position from receiving pay beyond a prescribed limit under another appointment or pay in addition to regular compensation unless authorized by law. The Senate recedes with an amendment omitting the limitation of the Senate bill and also the matter inserted by the House amendment, the later being omitted as surplusage, since the Senate bill already provides that these employees (as well as officers and enlisted men engaged in enumerations at military posts) may be "employed and compensated" for census work.

On amendment No. 10: The Senate bill provided that the fifteenth and subsequent censuses should be restricted to population, agriculture, irrigation, drainage, distribution, unemployment, radio sets, and mines. The House amendment struck out

of this list unemployment and radio sets. The Senate recedes with an amendment restoring the word "unemployment" to the list.

On amendment No. 11: The Senate bill provided that the census of population and agriculture should be taken as of the 1st day of November. The House amendment changed this to the 1st day of May; and the Senate recedes with an amendment making the date the 1st of April.

On amendment No. 12: The Senate bill provided a fine of not exceeding \$1,000 for persons offering or rendering any information or suggestion to any census employee engaged in enumeration of population with unlawful intent to cause an inaccurate enumeration. The House amendment provided, as an alternative penalty, imprisonment for not exceeding one year, or both; and the Senate recedes.

On amendments Nos. 13 and 14: The Senate bill provided for the taking of a census of agriculture and livestock in 1934 and every 10 years thereafter, the census to be taken as of the 1st day of November. The House amendment changed the beginning year to 1935 and the month to January; and the Senate recedes.

On amendment No. 15: This is a clerical amendment; and the Senate recedes.

On amendment No. 16: Section 22 of the Senate bill provided for the method of reapportioning the House under the fifteenth and subsequent decennial censuses. The House amendment strikes out the entire section and inserts a new section covering the same matter. The only differences (other than clerical amendments) are as follows:

(1) The Senate bill provided that the statement to be transmitted by the President to the Congress should contain an apportionment of the "existing number" of Representatives made by apportioning such number among the States according to their numbers as ascertained under the census "by the method used in the last preceding apportionment and also by the method of equal proportions." The corresponding portion of the House amendment provides that the statement should contain the number of Representatives to which each State would be entitled under an apportionment of the "then existing number" of Representatives made in each of the following manners: By the method used in the last preceding apportionment, by the method known as the method of major fractions, and by the method known as the method of equal proportions.

(2) The Senate bill provided that if the Congress to which the President's statement is transmitted fails to pass a reapportionment law, then each State shall be entitled to the number of Representatives shown in the statement, based on the method used in the last apportionment, until an apportionment law is enacted or a subsequent statement is submitted. The corresponding provision of the House amendment provides that the apportionment shall remain in effect until the taking effect of a reapportionment under this act or subsequent statute.

The Senate recedes on this amendment.

CARL R. CHINDBLOM,
E. HART FENN,
CLARENCE J. MCLEOD,
J. E. RANKIN,
RALPH F. LOZIER,

Managers on the part of the House.

Mr. CHINDBLOM. Mr. Speaker, this conference report conforms to the report which was submitted yesterday, in all particulars except two, and of course they are very important and vital to the legislation.

In the first place, the date for the taking of the census was changed from November, 1929, and every tenth year thereafter as proposed yesterday, to April, 1930, and every tenth year thereafter.

In the second place, the conference report submitted yesterday exempted all of the positions in the field service for the taking of the census, including the supervisors, assistant supervisors, enumerators, interpreters, and special agents, from the provisions of the civil service laws. This report conforms to that general plan, but does place special agents subject to appointment under the civil service laws.

When the conferees met yesterday afternoon the legislative situation in the Senate had become such that there was very great anxiety on the part of those interested in the legislation that if possible it might come up for action in the House to-day and possibly in the Senate.

The Senate is to vote to-day at 4 o'clock on the conference report on the farm bill, as doubtless the Members of the House know, and if we act expeditiously in the House upon this conference report, it is hoped that the report may be presented to

the Senate, and probably acted upon either before or after the action on the farm bill in the Senate to-day.

Personally, I therefore hope that there will not be any necessity for any prolonged discussion of the conference report. I shall be very pleased to answer questions, and, of course, I shall yield to those who have a right to expect time to debate such time as they may consider absolutely necessary.

Mr. BURTNESS. Will the gentleman yield for a question?

Mr. CHINDBLOM. Yes.

Mr. BURTNESS. Did the conferees give consideration to the fact that the month of April is usually the very worst month in the year, in so far as roads are concerned? [Laughter.]

Mr. CHINDBLOM. Mr. Speaker—

Mr. BURTNESS. This is a serious question to me.

Mr. CHINDBLOM. Of course, I will treat it seriously. I know it is a serious question. I will say to the gentleman that since it was the evident determination of the House that the date of November should be eliminated and a date as near May 1 as possible should be accepted, we again conferred with the Director of the Bureau of the Census, and even with the Secretary of the Department of the Interior, and we were advised by the Director of the Bureau of the Census that by employing men for overtime and perhaps engaging some additional employees it would be possible, under those conditions, beginning on the 1st of April, to have the enumeration of the population finished by the last of November.

Mr. BURTNESS. Does the gentleman think the Director of the Census had in mind the condition of the roads in the Northern States in April?

Mr. CHINDBLOM. I have not understood that the month of April would be entirely impossible for such work as the enumeration of the census.

Mr. BURTNESS. I refer to those sections where they do not have paved roads.

Mr. CHINDBLOM. I want to say in that connection that, as the House will observe, we agreed to a change in amendment No. 4, in which the time for taking the enumeration of population is to be finished in eight months from the beginning of the enumeration. I will say, also, that although the census generally will be started on the 1st of April, it has been the experience of the bureau that that work has never been done promptly in all places within the United States. If it were so done, this length of time might not be necessary. There must be some leeway, some latitude given, and doubtless it would be given, by the director in places where it was impossible to take enumeration.

In the case of the census of 1920 where it was to be taken on the 1st day of January, the enumeration was not completed and proclamation made until October. It took 10 months before the director made the specific proclamation of the enumeration in 1920. Here we have given him eight months. We think he will be able to do the work in eight months. Personally, I feel grateful to the conferees on the part of the Senate for the attitude they displayed yesterday in consenting to this arrangement which is in the nature of a compromise.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CHINDBLOM. I yield.

Mr. LAGUARDIA. If the census is commenced in April, 1930, it is clear that it will be impossible to have a reapportionment before the 1930 congressional elections. Am I right in that?

Mr. CHINDBLOM. The old arrangement provided that after the enumeration the President should submit to Congress within a week after the assembling of Congress in the short session of the Seventy-first Congress the results of the enumeration.

Mr. LAGUARDIA. That would give time to make the reapportionment?

Mr. CHINDBLOM. Not before the elections of 1930. The elections of 1930 will be over before the first week in December, 1930.

Mr. LAGUARDIA. Then we will have no new apportionment of the House until the Seventy-third Congress.

Mr. CHINDBLOM. Yes; that has always been the plan.

Mr. LAGUARDIA. One more question.

Mr. CHINDBLOM. The gentleman yields on that, does he?

Mr. LAGUARDIA. Yes; I yield. What are the duties of the special agents?

Mr. CHINDBLOM. The special agents are representatives of the Bureau of the Census who will go out into the various supervisor and enumerator districts, wherever there is a necessity for special work to be done and where there may be some difficulties that have to be mopped up and expedited.

Mr. LAGUARDIA. How many of them will there be?

Mr. CHINDBLOM. Between 500 and 1,000.

Mr. LAGUARDIA. And these bright boys are to be selected by the Civil Service Commission; and if they are, God help the census. [Laughter.]

Mr. CHINDBLOM. Our report yesterday contemplated the elimination of all of these field employees from the civil service, but, of course, I hope the House understands that in case of a bill like this, which originated in the Senate—which might have originated in the House and in all probability would have done so, especially with reference to the apportionment feature—that especially in case of a bill that originated in the Senate the House can not presume to get everything it wants in the way of amendments; there must be some yielding on both sides.

Mr. LAGUARDIA. We will take the census of the unemployed, will we not?

Mr. CHINDBLOM. The item of unemployment remains as one of the subjects of enumeration.

Mr. LAGUARDIA. Some of us may be in that crowd at that time.

Mr. CHINDBLOM. Mr. Speaker, in order that the whole situation in regard to the application of the civil service laws may appear, I wish to call attention to the fact that all temporary appointments of employees in the District of Columbia for the census work must be made in conformity with the civil service laws and rules, at rates of compensation to be fixed by the Director of the Census. This provision was contained in the Senate bill and was not changed by the House or, of course, by the conferees. It will be found in section 3 of the bill.

Mr. Speaker, if there is nothing further, I yield to the gentleman from Mississippi. How much time does the gentleman desire?

Mr. RANKIN. Thirty minutes.

Mr. CHINDBLOM. We did not expect that it would be necessary to take up the whole of the time in the consideration of this conference report.

Mr. RANKIN. I just want the gentleman to yield me half the time, because I want to yield to some others. If we do not use it all, we will yield back the time.

Mr. CHINDBLOM. We followed that course yesterday, but that is not the usual course in the consideration of conference reports. I am glad to yield such time as the gentleman wants.

Mr. RANKIN. Will the gentleman agree to yield to some other gentleman in the House?

Mr. CHINDBLOM. Certainly.

Mr. RANKIN. Then start me off with 10 minutes.

Mr. CHINDBLOM. Mr. Speaker, I yield 10 minutes to the gentleman from Mississippi.

Mr. RANKIN. Mr. Speaker, I want to give the Members of the House some information about this proposed taking of the census. We agreed finally to accept the conference report if they would give us the date of April 1 for the beginning of the taking of the census. In some of the Northern States there is bad weather at that time, and this provision is written into the bill to take care of that situation. I desire the attention of the gentleman from North Dakota [Mr. BURTNESS] and the attention of other gentlemen from the extreme Northern States, as well as the attention of the gentleman from New York [Mr. SNELL]. Section 6 provides:

SEC. 6. That the census of the population and of agriculture required by section 1 of this act shall be taken as of the 1st day of April, and it shall be the duty of each enumerator to commence the enumeration of his district on the day following unless the Director of the Census, in his discretion, shall change the date of commencement of the enumeration in said district by reason of climatic or other conditions which would materially interfere with the proper conduct of the work.

I took this up personally with the Director of the Census this morning, and he promised me—and I told him that I was going to quote him on the floor of the House—that in those States where the weather is bad, such States as North Dakota, Maine, Vermont, New York, Michigan—and I ask the gentleman from Michigan just to think what they are getting out of this bill—

Mr. WOODRUFF. Oh, the gentleman is mistaken. We have no bad weather in Michigan.

Mr. RANKIN. The gentleman evidently lives near the city of Detroit. [Laughter.]

The Director of the Census promised me that he would defer the beginning of the taking of the census in those localities until suitable weather conditions prevailed. In that way we will have plenty of time to take the census. In the States where bad weather prevails in April the taking of the census will be deferred until May or June, or until you have suitable weather. That is what we want. We want a full and accu-

rate census of all the people in the United States, where they are supposed to live, and for that reason we have been fighting to get a census taken at a time when the most of the people would be at home.

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. MOORE of Virginia. The gentleman has read the paragraph that gives the Director of the Census discretion to change the date. I take it for granted that there is no understanding that he could change the date so as to select an earlier date.

Mr. RANKIN. Oh, no.

Mr. MOORE of Virginia. It was thoroughly understood that the change of date was to be after the 1st of April, if he should make a change.

Mr. RANKIN. How could he take the census as of the 1st of April if he should take it before the 1st of April? That would be impossible. It is impossible for him to go behind that date, but in those States where the weather conditions are bad at that time he has the right to defer the taking of the census until suitable weather prevails.

Mr. ELLIS. The word is "defer," so as to make it later.

Mr. RANKIN. Yes.

Mr. DENISON. Mr. Speaker, I hope it will turn out that there is no April fooling about this census. If there is any, we will blame the gentleman from Mississippi.

Mr. RANKIN. Oh, no; the April fooling took place among some of the old guard yesterday when they undertook to run this November 1 date over us and the House revolted. [Laughter.]

We are not trying to fool anybody. We are simply working for what we deem to be the best interests of all the people of the country. We have done the best we could. As far as I am concerned, I am against the whole bill. It has some provisions in it that I do not want; but you have passed the bill, and the only things left for the conferees to consider were those questions on which the two Houses had disagreed, and we took them up and ironed them out as best we could and gained for the agricultural States one of the things for which we have been contending for the last eight years. I shall be glad now to answer any questions that any of you may ask.

Mr. GIBSON. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. GIBSON. For a brief statement?

Mr. RANKIN. Yes.

Mr. GIBSON. Mr. Speaker, I quite agree with the statement of the gentleman from North Dakota [Mr. BURNES] that April is a very bad month for the enumeration. I think some gentlemen do not understand the conditions of dirt roads when the frost is coming out of the ground. Let me give you an illustration. I live in the southern part of my State. Our county court convenes on the second Tuesday of April, which was the 9th day of April of this year. The county seat is 13 miles away from my home town. The court had to be put over for two weeks because it was impossible to get over the 13 miles of road from my home town, where most of the lawyers live, to the county seat.

Mr. BOWMAN. And where was this?

Mr. GIBSON. This was in Vermont, the best State in the Union, I will say to the gentleman from West Virginia. I took this matter of our situation up with the Director of the Census this morning, and he assured me that in Vermont, New Hampshire, Maine, and any other State, where the road conditions were such that it was not possible to get around and not practical to commence the work in April, the actual enumeration would be deferred until such time as the census could be reasonably taken in order to insure an honest and accurate count. The bill permits the director in his discretion to change the date of commencement of the enumeration in any district by reason of climatic or other conditions which would materially interfere with the proper conduct of the work. My understanding is that this discretion will be exercised to the end that a full and correct enumeration will result.

Mr. RANKIN. I thank the gentleman from Vermont for that statement, and I yield back the remainder of my time. [Applause.]

Mr. CHINDBLOM. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. LOZIER].

The SPEAKER. The gentleman from Missouri is recognized for five minutes.

Mr. LOZIER. Mr. Speaker and Members of the House, I hope this conference report will be approved. It is a unanimous report and represents the best that can be done now with the census and reapportionment bill. You will deserve that the House is having its way in fixing the date on which the enumeration is to begin. The Senate is yielding to the House

on this important question as to the time; that is, the year and the month when the census is to be taken. We have won a big victory in having the census taken in 1930 instead of 1929, and also in having the census taken in the spring of the year instead of in the winter. This, from the standpoint of agriculture, is the one big, outstanding, and all-important question.

I represent a great agricultural constituency, and I come from one of the greatest agricultural States in the Union. Missouri is the heart and the keystone of the agricultural Mid West. In trying to speak for the agricultural classes I have regarded it as of paramount importance to have the census taken in the spring of the year, when the farm population is on the farm, so we may secure an accurate count of the agricultural population.

While I preferred May as the best month in which to take the census, April is about as satisfactory, and either of these dates is preferable to November. The taking of the census can begin April 1, and if the weather conditions should be adverse the enumeration can run over into May. As a concession to the Senate conferees, and in order to add one month to the time between the taking of the census and the report of the Census Bureau to Congress, we have agreed on April 1, 1930, as the date on which the census enumeration will begin, unless postponed by the Director of the Census because of weather conditions.

Now, a census taken in April or May will, in my opinion, show several million more farm population than a census taken in November, and this will mean 15 or 20 more Congressmen, and 15 or 20 more votes in the Electoral College for the agricultural States. This is a prize worth fighting for, and an agreement on the April 1 date is a distinct victory for the agricultural States.

From the beginning I have appreciated the importance to the agricultural sections of having this census taken in the spring of the year, and I have made a determined fight to prevent agriculture from being ravished in the approaching census and apportionment of the membership of the House. I have vigorously opposed the plan to have the census taken in the winter months when many farm hands, farmers, and members of their families are not on the farm, but are in the cities working temporarily in great industrial plants, or engaged in other work in other States during the winter months, which is the dull season on the farm.

Those of us who have been trying to secure for agriculture a fair census, have had to combat the combined opposition of the leaders in the House and Senate, and we have been compelled to fight the Representatives who come from the great cities and from the industrial States, who want the census taken in the winter when millions of farm boys and men are temporarily in the cities where they would be counted, thereby swelling the city population and reducing the population of the agricultural communities.

Those of us who have been fighting for a square deal for agriculture have won a worth-while victory over tremendous odds and over a militant and well-organized opposition. The Members of Congress from the agricultural States, both Democrats and Republicans, have realized the importance of this struggle over dates, and have stood together, making common cause, and as a result we are writing into this bill a provision that requires the census population to be taken in the spring of the year when there is a larger number of people on the farm than in any other season. This means that the census will show a larger farm population than would be shown if the census were taken in November. This will give the agricultural States a larger membership in the House and a larger vote in the Electoral College than they would have if the enumeration is taken in November.

There is another distinct advantage in having the agricultural population accurately enumerated. In many States the membership in the State legislature will be affected by the population census. After the 1930 census is taken, in many States the State legislative and State senatorial districts will be changed and the States redistricted according to the 1930 census. If a considerable part of the farm population is working in the cities when the census is taken, then the rural counties will have a reduced population in the State legislatures, while the cities will have a correspondingly large representation in your State legislatures.

So I repeat, it is of very great importance to have an accurate enumeration of the farm population in the coming census. The future welfare, power, and influence of agriculture depend on agriculture getting a square deal and an accurate enumeration in the approaching census.

Mr. SLOAN. Mr. Speaker, will the gentleman yield there?

Mr. LOZIER. Yes; I yield to the gentleman from Nebraska.

Mr. SLOAN. I want to congratulate the gentleman and the other conferees on the distinct victory they have achieved in changing this date. You will notice that the change is less than 10 months and more than 9 months; and, following the injunction of the Scripture to multiply, our young men will marry and multiply and replenish the earth and win next year in the census what we have failed to win for lack of numbers here.

Mr. LOZIER. I thank the gentleman for his pertinent observations, and for his contribution to a proper understanding of the importance to agriculture of having this census taken at a time when the farm population will be at home and can be accurately enumerated.

I am not going to take any more time of the House, except to say that this date is fair to the agricultural population and not unfair to the industrial population. It is fair to the country and not unfair to the cities. It is the best date for all the people of all the States. As the report is unanimous and well considered I trust it will be approved by the House.

I yield back the remainder of my time. [Applause and cries of "Vote!"]

Mr. CHINDBLOM. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. HASTINGS].

The SPEAKER. The gentleman from Oklahoma is recognized for five minutes.

Mr. HASTINGS. Mr. Speaker, the apportionment bill as it passed the Senate provided that the appointments made in the taking of the census should be under the civil service. That would have insured an intelligent, nonpartisan, and absolutely fair census being taken. That is what the country wants. In lieu of the civil-service provision we have the camouflage provision inserted, as follows:

Provided further, That in making any appointments under this act to positions in the District of Columbia or elsewhere, preference shall be given to persons discharged under honorable conditions from the military or naval forces of the United States who served in such forces during time of war and were disabled in the line of duty, to their widows, and to their wives if the husband is not qualified to hold such positions.

Of course, this provision is only meant to deceive. It would indicate that some preference was to be given ex-service men or their widows or wives. A similar provision is inserted in other laws and regulations of the Post Office Department. This provision is inserted to draw the attention away from civil-service promises. It is for nothing else. You are not deceiving anyone. Everyone knows that you can get competent enumerators to take the census in every district throughout the Nation, through the civil service, and everyone knows you have plenty of time to arrange for the examinations and make the selections long prior to April 1, 1930, when the actual enumeration begins, but you do not want to do this and you want to get around the civil-service promises that are made in your platforms, and in order to do this you camouflage it in the name of the ex-service men. Oh, how many political crimes are committed in their name.

The Republican platform in 1928 contains the following provision concerning the civil service:

The merit system in Government service originated with and has been developed by the Republican Party. The great majority of our public-service employees are now secured through and maintained in the Government under civil-service rules. Steps have already been taken by the Republican Congress to make the service more attractive as to wages and retirement privileges, and we commend what has been done as a step in the right direction.

The Democratic platform contained the following:

Grover Cleveland made the extension of the merit system a tenet of our political faith. We shall preserve and maintain the civil service.

Now, to avoid criticism and to draw the attention of the country away from a violation of these pledges the above is inserted in the pending census bill to give the ex-service men and their widows and wives preference. It is a politically adroit way of nullifying the civil-service promises. What will be done, of course, is that party leaders will be designated for each State and the States divided up into subdivisions with partisans appointed who will in turn select partisan enumerators in every district throughout the country, so this provision deceives no one.

A similar provision is contained in the rules and regulations promulgated by the Post Office Department. It is of no effect, as every Member of Congress knows. There are a number of instances in my district where ex-service men with military preference have been disregarded, and in each instance partisans appointed in their stead. This has occurred in a number

of instances where ex-service men have applied for positions as rural carriers. Only last week an ex-service man, Will N. Blair, was certified as eligible, with a military preference, for appointment as postmaster at Hitchita, Okla., in my district, and the department went so far as to notify Members of Congress and Senators of the eligibility of young Blair; but instead of his being appointed, an excuse was made to call for another examination in order to afford an opportunity for a partisan to take the examination.

So you see therefore that this provision may deceive the public, but certainly no Member of Congress should be deceived by it.

I voted for the apportionment bill. The Constitution requires that the census be taken every 10 years, and in my judgment it is the plain duty of Congress to make the apportionment.

I voted against the Tinkham amendment, which was designed to cut down representation in the South. Everyone understood its purpose.

I voted for the Hoch amendment to exclude aliens from the count in making the apportionment. It is stated in debate that there are approximately 5,600,000 unnaturalized aliens in the country, and about half of them who have illegally entered and who are not citizens of the United States. Those aliens who have come to our country for the purpose of permanently residing here should be required to become citizens.

I voted to take the census on May 1, 1930, instead of on November 1, 1929, because I believe that date would find on the farm more of the rural population of the country, and for that reason enable the enumerators to take a more accurate census of the farm population.

The present conference report fixes the date as April 1, 1930, and I shall vote for that.

It was urged in the debate on the former conference report, fixing November 1, 1929, as the date for the beginning of the taking of the census, that it was done in order to have a report of the census prior to the beginning of the short term of Congress the first Monday in December, 1930, to enable Congress to make the apportionment. Of course, that argument was camouflage. Nobody in Congress ever believed that Congress would be called upon to make any further apportionment, but that it will be done by the Secretary of Commerce under the provisions of the bill.

Members of Congress may think they are fooling the country by this kind of argument but we in the House know that when any Member makes it he is looking one way and talking another.

I favor retaining the membership of the House at 435 and not increasing the number. I did not favor delegating the appointment to the Secretary of Commerce. Congress should assume its own responsibility. It is a dangerous precedent to delegate this authority which belongs to Congress. However, believing that the Constitution requires apportionment every 10 years and having voted for all apportionment bills, and being unable to secure the legislation because of the opposition of States that stand to lose one or more Members, I voted for this apportionment bill and will vote for this conference report. [Applause.]

Mr. CHINDBLOM. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Speaker, I am greatly pleased to see the reapportionment bill pass the last stage in the House on its way to final enactment. It marks the culmination of nearly five years of earnest effort on my part.

Mr. RANKIN. Will the gentleman yield?

Mr. TILSON. I yield.

Mr. RANKIN. The gentleman never had any trouble on this side of the House with the census bill.

Mr. TILSON. Oh, the trouble was on both sides. The trouble has not been confined to one side of the House. I find that I misunderstood the gentleman. I thought he was referring to the reapportionment bill.

Mr. RANKIN. There has been no difficulty on this side of the House so far as the census bill was concerned.

Mr. TILSON. The gentleman is correct. There has been no difficulty anywhere on the census bill.

Mr. RANKIN. In other words, we have tried to secure the adoption of a census bill, but it has been blocked in other quarters.

Mr. TILSON. As the gentleman has stated, the matter of the census has not caused the trouble. The real trouble has been to secure a reapportionment law.

When I became majority leader in 1925, the first problem to which I turned my attention was reapportionment. Five years had elapsed since the 1920 census was taken and no reapportionment had been made. I felt deeply that one of the basic provisions upon which our Government is founded was being ig-

nored. Five years more would probably further accentuate the differences in the rate of growth in population in the several States, and I greatly feared that a revelation of these differences by the next census would make it impossible to reapportionment without the necessity of greatly increasing the membership of the House, which I should consider most unfortunate. In casting about I struck upon the plan of passing anticipatory legislation to be effective in case the Congress in which the census is taken should fail to make reapportionment. I studied the constitutional side of the question, and became convinced that it was sound. I then called into conference my colleague, Mr. FENN, who had become chairman of the House Committee on the Census, and he agreed to introduce and sponsor such a bill, which he did.

During the Sixty-ninth Congress Mr. FENN was unable to get a favorable report out of his committee, but in order to demonstrate that at least a majority of Republicans in the House favored reapportionment it was brought up on suspension of the rules, but, of course, did not receive the necessary two-thirds to suspend the rules. In the first session of the Seventieth Congress a new bill was reported out and brought before the House for a vote, but was defeated by being recommitted to the Committee on the Census. In the second session of the Seventieth Congress it was again brought out and at last received the necessary votes and went to the Senate, where it died at the end of the Congress.

I was one of those to request President Hoover to include reapportionment in his message to the extra session of the Seventy-first Congress, and he did so. This time the Senate acted first and passed the bill. When it came to the House everyone knows what happened. In Committee of the Whole two amendments were at first added, which if they remained in the bill doomed it to certain defeat. Probably a clear majority of the House favored the Hoch amendment, which added aliens to the excluded class, while another clear majority, constituted quite differently, favored the Tinkham amendment excluding disfranchised negroes from being counted for representation. Enough Members to defeat it would not vote for the bill if either amendment remained in it, and with both in the bill it was surely doomed.

My task was to have eliminated both amendments. The method used was the simple one of offering in Committee of the Whole an amendment to strike out the entire section relating to reapportionment and insert substantially the original Senate provision in somewhat different phraseology. To secure votes enough to adopt such an amendment it was necessary to combine the two groups opposing each of the offending amendments, thus using each of these amendments to kill off the other. It was like mixing an acid with an alkali to neutralize both, or the old story of the two Kilkenny cats each destroying the other. My amendment once adopted entirely cleared the situation for upon a record vote in the House, if my amendment should fail to carry, the language of the Senate provision, not materially different, would remain in the bill.

The final result is that when President Hoover approves the bill it will become the permanent reapportionment law unless and until a new act is substituted for it hereafter; so that unless this act is repealed nevermore will there be danger of failing to reapportion after each decennial census as contemplated in the Constitution. It is a matter of personal gratification that the permanent reapportionment law will be in the exact language of the amendment offered by me.

Mr. CHINDBLOM. Mr. Speaker, I ask unanimous consent that all Members who spoke on the conference report yesterday and who have spoken to-day be permitted to extend their remarks.

The SPEAKER. The gentleman from Illinois asks unanimous consent that all Members who spoke on the conference report yesterday and who spoke to-day may be permitted to extend their remarks. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, why not make the request apply to all Members of the House?

Mr. CHINDBLOM. I am willing.

The SPEAKER. The gentleman from Illinois asks unanimous consent that all Members may have five legislative days in which to extend their remarks in the RECORD on the census and reapportionment bill. Is there objection?

Mr. PARKS. Mr. Speaker, reserving the right to object, will this be the finish of this thing? We have had it before us for a long time, and if this will end it I do not want to object, but if this is not the finish I do not want to consent to the extension of remarks or anything else.

The SPEAKER. Is there objection?

There was no objection.

Mr. CHINDBLOM. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. CHINDBLOM, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3548. An act to continue, during the fiscal year 1930, Federal aid in rehabilitating farm lands in the areas devastated by floods in 1927;

H. R. 3600. An act to amend section 5 of an act entitled "An act authorizing Maynard D. Smith, his heirs, successors, and assigns, to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.," approved March 2, 1929, and being Public Act No. 923 of the Seventieth Congress;

H. R. 3663. An act making appropriations for the payment of certain judgments rendered against the Government by various United States courts;

H. J. Res. 73. Joint resolution to amend the act entitled "An act to incorporate the American Hospital of Paris," approved January 30, 1913;

H. J. Res. 83. Joint resolution to make available funds for carrying into effect the public resolution of February 20, 1929, as amended, concerning the cessions of certain islands of the Samoan group to the United States;

H. J. Res. 86. Joint resolution making an appropriation for the International Red Cross and Prisoners of War Conference at Geneva, Switzerland, in 1929;

H. J. Res. 88. Joint resolution making an additional appropriation for the extension to the post-office building at Corinth, Miss.;

H. J. Res. 91. Joint resolution to provide for the payment of certain expenses of the United States Pulaski Sesquicentennial Commission; and

H. J. Res. 93. Joint resolution amending an appropriation for a consolidated school at Belcourt, within the Turtle Mountain Indian Reservation, N. Dak.

MILK RIVER RECLAMATION PROJECT, MONTANA

Mr. WOOD. Mr. Speaker, I ask unanimous consent for the present consideration of H. R. 3317, a bill to amend the act entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1930, and for other purposes."

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the paragraph of the act entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1930, and for other purposes" (Public No. 1033, 70th Cong.), referring to the Milk River project, Montana, be amended to read as follows:

"Milk River project, Montana: For operation and maintenance, Chinook, Malta, and Glasgow divisions, \$17,000; continuation of construction, \$17,000; in all, \$34,000."

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I want to say to the gentleman from Indiana [Mr. Wood], as I stated yesterday and I repeat it now, that you are not going to pass bills of this character until you first recognize the gentleman from Indiana [Mr. Ludlow] for permission to consider a simple resolution in which he is interested, and about which he spoke to the gentleman from Indiana [Mr. Wood] in my presence. I understand the Speaker has declined to recognize him, and until the gentleman from Indiana [Mr. Ludlow] is recognized to have that resolution considered you will not get unanimous consent to consider this particular bill or any other bill outside of the aviation bill and the one I mentioned yesterday.

Mr. WOOD. I will say to the gentleman from Texas that I have no objection whatever to the gentleman from Indiana [Mr. Ludlow] having his resolution considered; in fact, I think it ought to be considered.

Mr. GARNER. I agree with the gentleman. The Speaker has been requested to recognize him, but, as I understand, he has declined to do so. You are not going to get unanimous consent to have some recognized on that side of the House

to pass a dozen bills when recognition is denied to one gentleman for the consideration of one resolution.

The SPEAKER. If the gentleman from Texas will permit, the Chair has not declined to recognize the gentleman from Indiana, but has merely said that, there being certain other bills of this same character, the Chair thought all of those bills should be considered at the same time. The Chair will be glad to recognize the gentleman from Indiana at the proper time.

Mr. LUDLOW. Mr. Speaker, I desire to corroborate what the Chair has said. There has been no actual declination to recognize me.

The SPEAKER. The Chair has no doubt that the gentleman from Indiana will receive recognition at the proper time.

Mr. GARNER. Mr. Speaker, I want to make myself clear. This morning the gentleman from Montana [Mr. LEAVITT] was to see me concerning this bill as well as the gentleman from Indiana [Mr. WOOD]. I think it is a fair bill, but I think some recognition should be given to this side of the House. So far as I recall there has not been a single request made by this side of the House at this session.

Mr. LAGUARDIA. How about the Florida bugs?

Mr. SNELL. The first thing that came up during this session was from that side of the House; in fact, I think there were two of them.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

INTERNATIONAL TECHNICAL CONSULTING COMMITTEE ON RADIO COMMUNICATIONS

Mr. WOOD. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 102, making an appropriation for expenses of participation by the United States in the meeting of the International Technical Consulting Committee on Radio Communications, to be held at The Hague in September, 1929.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of a House joint resolution, which the Clerk will report.

The Clerk read the resolution, as follows:

Resolved, etc., That the sum of \$35,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until June 30, 1930, to defray the expenses of participation by the United States in the meeting of the International Technical Consulting Committee on Radio Communications, to be held at The Hague in September, 1929, including travel and subsistence or per diem in lieu of subsistence (notwithstanding the provisions of any other act), compensation of employees, stenographic and other services by contract if deemed necessary, rent of office, purchase of necessary books and documents, printing and binding, official cards, and such other expenses as may be authorized by the Secretary of State.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, who selects these technicians?

Mr. GARNER. Mr. Speaker, reserving the right to object, may I ask the gentleman a question?

Mr. WOOD. Yes.

Mr. GARNER. As I understand, the gentleman from Indiana and the former members of the Committee on Appropriations have considered this together, both Democrats and Republicans?

Mr. WOOD. We have.

Mr. GARNER. And it is a unanimous report?

Mr. WOOD. Yes.

I will state to the House what is the purpose of this legislation.

In 1927 there was a convention of all the civilized countries on earth, including a lot I never heard of before, and they adopted a treaty with reference to international radio operation. One of the terms of the treaty provided that in September of this year there should be a conference of all the participating countries with reference to making suggestions and recommending modifications after the developments of 1927, concerning interference, wave lengths, and all that sort of thing, and it is very essential that the United States, having more at stake with reference to international radio, perhaps, than any other country upon the face of the earth, should participate.

I will say to the gentleman from New York [Mr. LAGUARDIA] we asked Mr. Carr, of the State Department, who was before us this morning, the question the gentleman has propounded to me,

and off the record he gave us the names of a very great many eminent gentlemen who are qualified along this line from whom the selections will be made. They are to be appointed by the Secretary of State.

Mr. LAGUARDIA. Will this convention go into the question of international allocation of wave lengths?

Mr. WOOD. That is one of the purposes of the convention.

Mr. LAGUARDIA. And the Secretary will make the nominations or the selections.

Mr. WOOD. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

AIRPORTS FOR THE DISTRICT OF COLUMBIA

Mr. WOOD. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution (H. J. Res. 100) making appropriation for the acquisition of lands for an airport or airports for the National Capital and the District of Columbia.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of a joint resolution, which the Clerk will report.

The Clerk read as follows:

House Joint Resolution 100

Resolved, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$500,000, to remain available until expended, for the acquisition by the National Capital Park and Planning Commission, subject to the approval of the Joint Commission on Airports, of lands, and/or options to purchase lands, for an airport or airports adequate for the needs of the National Capital and the District of Columbia: *Provided,* That any further appropriations for the acquisition of lands and/or options to purchase lands and/or for the development of such airport or airports shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed for defraying the expenses of the District of Columbia by the District of Columbia appropriation acts for the fiscal years for which such appropriations are made.

Mr. GARNER. Mr. Speaker, reserving the right to object, may I ask the gentleman a question? As I understand, this legislation has the recommendation of the joint committee created by the Seventieth Congress to consider the question of aviation in the District of Columbia.

Mr. WOOD. That is correct.

Mr. GARNER. It also has the approval of the Committee on Appropriations of the House of Representatives, which considered it this morning.

Mr. WOOD. It has the approval of those who were present this morning; yes.

Mr. GARNER. Will the gentleman state who were present this morning?

Mr. WOOD. Yes. The chairman was present; Mr. DICKINSON, of Iowa, was present; Mr. WASON, of New Hampshire, was present; Mr. BUCHANAN, of Texas, was present; Mr. OLIVER, of Alabama, and Mr. SHREVE, of Pennsylvania.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, do I understand that this appropriation of \$500,000 covers only a part of the fund which will be necessary to purchase a site? How many thousand acres do you intend to purchase if this bill goes through?

Mr. WOOD. I will say to the gentleman we had a hearing this morning and it was disclosed that there are several sites in view. It is not advisable for the public to know the sites that the commission have under consideration, because, as the gentleman knows, should it become public they are considering this, that, or the other site, immediately the real estate gentlemen would get options and \$250 land would go up to \$1,000.

The purpose of this appropriation is to aid the commission in buying either land or options looking to the establishment of an airport. It is contemplated it will take much more than \$500,000 to do this, but the only part that will be contributed by the Government is \$500,000, no matter what the eventual cost may be.

Mr. SCHAFER of Wisconsin. How many acres are necessary for this airport?

Mr. UNDERHILL. About 1,000.

Mr. SCHAFER of Wisconsin. Has the Committee on Appropriations or this joint committee on airports checked up the assessed valuation of the property included in the various sites they have been considering, so as to arrive at a reasonable estimate of the cost of the site?

Mr. WOOD. That is one of the things they will do. As I say, the very reason there should be no publicity with reference to whether they are going to buy this, that, or the other site, is

in order that the Government may not be held up by these real estate sharks.

Mr. SCHAFER of Wisconsin. The gentleman well knows that the Federal Treasury is quite often raided to the tune of millions of dollars by real estate speculators. This existing evil could be cured if you would have the owners of the proposed sites for this airport submit their sworn affidavits indicating the value of their properties, and then after you decide to purchase one site, certify the valuation placed upon the other pieces of property to the assessor and have the owners assessed on their own valuation. In this way you would stop the real estate speculation raids on the Public Treasury in the District of Columbia. [Applause.] In view of the statement of the gentleman from Indiana that it is necessary to keep certain matters secret in order to protect the Treasury, I shall not object to the consideration of the bill although I have been constrained to object by reason of the continual raiding of the people's Treasury by real estate speculators in the District of Columbia.

Mr. LAGUARDIA. Reserving the right to object, permit me to say to the gentleman that the system of secrecy adopted now was abandoned some 30 years ago in the purchase of land for public services. Every real estate monger in the District of Columbia knows exactly what is going on, and you are not keeping any information at all from the real-estate people. If you think you are doing that, you are mistaken. This matter of an airport is of the utmost importance. It is of importance for the people of the District, for the people of the country, and for the people interested in aviation to know where this airport is going to be.

I, as a Member of Congress, resent the idea that any committee may come in and say to the House, "We know where it is going to be, but we can not tell you."

Mr. WOOD. Let me make this suggestion to the gentleman from New York, and I think he will agree with me that the plan of the committee is a good one. We can take a small sum of money and get options on a tract of land in one section near Washington and then do the same thing in a half dozen other places. Then after we have the options the Congress will be advised where these sites are. There is no desire on the part of the commission to keep from Congress where they intend eventually to locate. But for the purpose of obviating the very thing spoken of by the gentleman from Wisconsin [Mr. SCHAFER], that the Treasury shall not be robbed or held up, they would like to exercise their discretion, without making public here to-day the different tracts that they have in view.

Mr. LAGUARDIA. There is no great danger as long as we have the right of condemnation. Do not you trust the courts?

Mr. WOOD. If the gentleman will review the experience of the Government in condemnation proceedings, he will find that it costs the Government a great deal more under condemnation proceedings than they would have to pay at private purchase.

Mr. LAGUARDIA. That statement coming from me would be all right, but I am rather surprised to hear it from the conservative gentleman from Indiana.

Mr. WOOD. I can give the gentleman many concrete examples.

Mr. LAGUARDIA. Will not the gentleman let this go over until to-morrow?

The SPEAKER pro tempore (Mr. DICKINSON). Is there objection?

Mr. LAGUARDIA. Still reserving the right to object.

Mr. UNDERHILL. Will the gentleman from Indiana yield to me?

Mr. WOOD. I yield to the gentleman from Massachusetts.

Mr. UNDERHILL. Ever since I have been in Congress I have been a member of the District Committee. It has been my one ambition sometime or other to secure for this Government some land within or without the District without paying a tremendous tribute to the real-estate operators.

Up to the present time I have failed. I can cite numerous instances where the Government has paid millions of dollars more than it ought to have paid both through direct purchase and by condemnation proceedings.

I will cite one, and that is the triangle property with which all Members are familiar. In 1923 when the bill to purchase this property was first introduced by me the triangle was assessed for something in the vicinity of \$15,000,000. It could have been purchased without doubt for \$17,000,000. It was a period of economy and the President refused to approve of the proposition.

Two years later Congress passed an appropriation for a \$15,000,000 bridge adjacent to this property and the Assessors of the District immediately placed \$2,000,000 additional value on the property. In 1928, appropriations were authorized and

the property will be purchased at a cost of \$50,000,000. That is what it cost the Government six years after it could have been bought for \$15,000,000.

I could cite several other instances, but I will only cite one in the experience of this commission. We were very much interested in a certain tract of land not far from the city of Washington. In open hearings we began to discuss the prices and the availability of this tract of land. We found it could be bought for about \$200 an acre, and a thousand acres was involved in the transaction. Two weeks later at another meeting a representative of some real estate interests came before us and stated that the land was held at \$2,000 an acre.

Now, gentlemen, it may be unusual to push legislation in this way and manner, but I believe—I could almost guarantee—that we could save \$2,000,000 for the District of Columbia if we could go out to-morrow and purchase this land or take options on it.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. LAGUARDIA. Is the gentleman on the commission?

Mr. UNDERHILL. Yes.

Mr. LAGUARDIA. What is the plan of the commission—to select a site? I suppose the commission will confer with the people who are interested in a proper site, and then come in and get authorization for that particular site, or to close the deal, first?

Mr. UNDERHILL. No. There are several locations. The moment you mention one of them or two of them or three of them, the price jumps 100, 200, 300 per cent. When the Government attempted to take by condemnation proceedings certain lands for the new Botanic Gardens, the advance over the assessed valuation ran all the way from 115 per cent to 700 per cent.

Mr. LAGUARDIA. But the gentleman's commission must necessarily negotiate with the owners of the land.

Mr. UNDERHILL. The commission is not going to negotiate. The Park and Planning Commission that has negotiated the purchase of land in and around the District for park purposes, through their regular channels or agents, is going to try to secure this land at the lowest possible price.

Mr. LAGUARDIA. But the site will be selected by the gentleman's commission?

Mr. UNDERHILL. All of the sites are suggested by this commission.

Mr. WOOD. The final determination, the gentleman means.

Mr. UNDERHILL. Oh, yes; of course.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. SCHAFER of Wisconsin. Can we be assured that the Park and Planning Commission, which is to obtain options on the various sites, will submit the value claimed by the owners of the site which are not purchased to the assessor, so that he can assess for full valuation? If they do that, they will prevent exploitation in this case.

Mr. UNDERHILL. I suppose they will follow the usual business method of business organizations. If you were going to build a factory in some city or State, you would not advertise that you were in the market for a certain site. You would go to some one you could trust, and ask him to secure options on the particular land you desire. After the options had been secured on that land, if the price were too high, you would go to another site, and you would buy where you could do the best for your particular interests. The Government has not been able to do that. It does not employ sound business methods that would be used by others. Congress advertises that the Government or the District is in the market for so many thousand feet or so many thousand acres of land, and then that land is optioned by men who never heretofore owned a foot of it, and it is held at a price that is almost prohibitive.

Mr. LAGUARDIA. They must have been learning from Tammany.

Mr. UNDERHILL. Oh, no. They can give Tammany points.

Mr. O'CONNOR of Oklahoma. Has it ever been called to the attention of the Department of Justice that we have statutes about conspiracy to defraud the Government?

Mr. SCHAFER of Wisconsin. Mr. Speaker, the gentleman has not answered my question. What I want to find out is this:

If there are three or four proposed sites, and the owners of those sites demand of the Government certain amounts in payment for those sites after a site is selected, will the assessor of the District of Columbia then be given the actual value furnished by the owners of the rejected sites, so that he can assess them at their value designated by the owners? In that way you will save hundreds of thousands of dollars.

Mr. UNDERHILL. Let me say to the gentleman, at the risk of giving out some information valuable to land speculators, that we are not interested in the purchase of land in the District of Columbia.

Mr. SCHAFER of Wisconsin. Well, the purchase of land outside.

Mr. UNDERHILL. We do not hold control over that.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I shall object to the consideration of the bill.

Mr. UNDERHILL. Mr. Speaker, will the gentleman withhold his objection?

Mr. SCHAFER of Wisconsin. Yes.

Mr. UNDERHILL. Surely the gentleman does not want to put himself in the position that he has caused the Government to pay two, three, or four million dollars extra money, because he, and he alone, thinks he has the only solution of this question?

Mr. GARRETT. Mr. Speaker, the Government of the United States has a right to go out and condemn this land and take it and have a jury pass upon its value and cut down the price to suit itself.

Mr. UNDERHILL. Oh, no, no.

Mr. GARRETT. Why, certainly it has.

Mr. UNDERHILL. No; the Government of the United States has to give what the court or the jury or the referee decides the land is worth.

Mr. GARRETT. Certainly.

Mr. BYRNS. Mr. Speaker, I have not objected, but I expect to ask for some information, and I resent the statement of the gentleman from Massachusetts [Mr. UNDERHILL] as applied to the gentleman from Wisconsin [Mr. SCHAFER] because the latter sees fit to exercise his constitutional right as a Representative in this House in respect to the passage of this bill, which has never been referred to any regular committee of the House. The gentleman from Massachusetts seeks to place the gentleman from Wisconsin in the category of being in a conspiracy with those who would hold up this Government in the purchase of this land, and I think that the remarks were uncalled for [applause], and that the gentleman from Massachusetts [Mr. UNDERHILL] was beyond his rights when he undertook to so characterize a Member of this House, who has as much right on the floor and as much right to his opinion about bills in this House as has the gentleman from Massachusetts. [Applause.]

Mr. UNDERHILL. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Yes; if I have the floor.

Mr. UNDERHILL. The gentleman has known me long enough to know that I never would intentionally or purposely impugn the motives of any of my colleagues. If I have established any one thing since I have been in Congress, it is a reputation for fair play. If, in the heat of argument, I reflected in any way, shape, or manner on the gentleman from Wisconsin, I withdraw everything I said, and request the reporter to eliminate it. I trust the gentleman from Wisconsin will pardon me for an unintentional error. I have made all the amends I possibly can. [Applause.]

The SPEAKER. Is there objection?

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, I understand that the gentleman from Massachusetts [Mr. UNDERHILL] has devoted a great deal of time to the study of this airport question. I have served with him on the Claims Committee, of which he is chairman, and know that he is an exceptionally conscientious and hard-working Member of Congress.

The gentleman's intense desire to have a great airport in or near the Nation's Capital may have caused him to utter a few words which I might object to. However, I am not one of those who object to a unanimous-consent request because of personal animosity, temporary or permanent, and in view of what has transpired and the information obtained under the right to object, I will withdraw my objection to the consideration of the legislation. [Applause.]

Mr. BYRNS. Reserving the right to object, Mr. Speaker, even at the risk of being characterized as a member of a conspiracy—

Mr. UNDERHILL. Mr. Speaker, I have withdrawn that and apologized for it. Can I do any more?

Mr. BYRNS. The gentleman could not and I will not again refer to the matter. I have always entertained a high regard for the gentleman from Massachusetts personally and officially, and gladly acquit him of any such intention, but I do not take kindly to the idea that because a Member wants to get information on a bill or objects to its consideration he is to be charged with improper motives when he is only exercising what are his rights.

I was not present at the meeting this morning. I had a hearing on a very important subject in one of the departments in

which my constituents were interested. I want to ask the gentleman from Indiana [Mr. WOOD] some questions in regard to this particular bill, and first I want to say this by way of preface, that I think if we are going to continue to consider bills upon the floor of this House on the ground that somebody thinks it is an emergency, we ought to have a regular organization in the House, so that committees can function on the matters over which they have jurisdiction. [Applause.]

We are asked here in this case and in other cases to consider legislation which ought to go to a regular committee of the House, where the members of the committee could hold hearings and present their report in writing to the House, with a recommendation as to what they think should be done. As the situation is now, we have no Committee on Appropriations organized. It is true that the prospective chairman, the gentleman from Indiana, gives close consideration to these matters, but Members of the House should be enabled to properly consider legislation like this. Some Members, in good conscience, of course, believe that it is to the public interest to have these matters considered, but I do not think under the present organization of the House we should take up matters except those of a really emergency character.

I am not impressed by the statement of the gentleman from Massachusetts [Mr. UNDERHILL] that this is an emergency. Of course, the price or value of land may go up, but I do not know that the prices of real estate are increasing in the city of Washington or any other place at this time, and if the matter were taken up in December I think there would be the same scramble and no more on the part of real-estate interests here to increase values and increase their profits through the transfer of their property that there is now.

There is another thing I would like to have explained. This bill undertakes to take out of the Treasury of the United States \$500,000 to purchase this land, coupled with the provision in the resolution that any subsequent appropriations for the acquisition of land shall be made under the law as it now prevails, with reference to revenues in the District of Columbia, to which the United States makes a contribution.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. DYER. I understand from the statement of the gentleman from Massachusetts [Mr. UNDERHILL] that none of this land which it is proposed to purchase is within the District of Columbia. I would like to ask the distinguished member of the Committee on Appropriations how he can justify our action here in this proposed legislation in providing out of the District revenues funds to purchase land not in the District of Columbia?

Mr. BYRNS. It is for the District of Columbia.

Mr. DYER. It is for the whole country.

Mr. BYRNS. I can not agree with the gentleman upon the statement that it is for the whole country. Down in my own home city, which is one-third of the size of the city of Washington, they are making an appropriation now for a quarter of a million dollars to provide an airport outside of the city limits out of the taxes paid by the citizens of that city.

Mr. LaGUARDIA. That is done all over the country.

Mr. BYRNS. There is not a city of any size in this country that is not undertaking to establish airports, and they are not asking for aid from the Federal Treasury. The United States Government has an airport in the city of Washington over at Bolling Field for the War Department and the Navy Department. Why should we be called upon to make this whole contribution? Why was not this provision that is made with reference to money hereafter needed not made applicable to this \$500,000?

Mr. WOOD. Will the gentleman yield?

Mr. BYRNS. Yes.

Mr. WOOD. I will say to the gentleman that Senator BINGHAM was before us and I asked him that very question. I cited the fact that all over this country these airports had been built and maintained by the municipalities. I cited several concrete instances, and the answer is this: This is to be a commercial airport, and these are commercial airports in these cities to which I referred. The airport in the gentleman's city is a commercial port, and this can not obtain here because of the fact that there is but little commerce here. As we all know, there are no manufacturing industries here, and I hope there never will be, but the visitation to this airport will be constantly growing by reason of the increased use of the airplane.

The big business we have here is the Government, the biggest business in the world, and those who come here come in large part in the transaction of business or else seeking pleasure and education. Now, the airport for the Navy is a limited concern, and it is hardly large enough for the use of the Navy. The air-

port for the Army is a limited concern, and for the purpose of accommodating it to the uses of the Army it is proposed to enlarge it. So to my mind the answer given by Senator BINGHAM was proper and the suggestion that other cities are establishing airports for their commercial development can not apply to the city of Washington.

Mr. DYER. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. DYER. I want to ask the gentleman this question: Of what benefit can an airport be commercially to the city of Washington, which is not a city engaged in commerce? It is all right for my city and the gentleman's city to have airports because it is money in our pockets.

Mr. LAGUARDIA. What do you want the passengers to do? Drop from parachutes?

Mr. DYER. I wanted to know of what benefit it could be to the District of Columbia and why we should tax the people of the District for this purpose?

Mr. WOOD. I have stated as best I could the reasons why the Government should contribute, and it strikes me the reason offered by Senator BINGHAM was a very satisfactory explanation as to why we should make an exception in this case—namely, because this is to be a national airport. People come from all over the country to the National Capital not for the purpose of exploiting their commerce but for the purpose of transacting business of state, for the purpose of pleasure, or, if you please, in their intercourse between one section of the country and some other section of the country.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. WAINWRIGHT. The gentleman has characterized this airport as a national airport. It might be interesting and possibly have some bearing on this subject to know what foreign governments have done. I would like to know whether the gentleman has any information as to whether Croydon, the great British airport; Le Bourget, the great airport outside of Paris; or the Tempel Hof Airport, in Germany, have been constructed by national, municipal, or private funds.

Mr. WOOD. Some of them are both. Senator BINGHAM entered into that this morning and the hearings make a very complete showing. There are several in France and some in Germany.

Mr. WAINWRIGHT. What are the facts?

Mr. WOOD. The government participated in the building of those airports and they are used for commercial purposes and they are also used by the government for governmental purposes.

Mr. HUDDLESTON. Will the gentleman from Tennessee yield to me?

Mr. BYRNS. I yield if I have the floor.

Mr. WOOD. The gentleman from Tennessee has the floor.

Mr. HUDDLESTON. The gentleman from Tennessee [Mr. BYRNS] has cited the instance of his home city of Nashville, and I might as well cite the case of my home city and so might practically every Representative cite the case of his home city. In many of our cities the people are spending their own money for airports and asking the Government for nothing whatever.

The chief use of airports in most of these cities, such as the gentleman's, and my own, is for the mail service and by the National Guard and other military forces. Talk about commercial uses has little or no application. There is no commercial business worth talking about done in many of these airports throughout the country. Where there is any commercial use, it chiefly has connection with the distributing business, of which Washington is a considerable center. Washington has more business of distribution than dozens of cities which are providing airports at their own expense. The Government has already provided at its own sole expense for a Navy airport and for an Army airport in Washington and has no use for the third airport provided by this bill. It is purely a local matter for purely local purposes. Washington is the richest city per capita in the whole country and its tax rate is less than half many other cities.

When we analyze these alleged reasons why Washington should be preferred above other cities and be furnished an airport at the Government's expense they disappear. The fact is that there is no more reason why the Government should pay for an airport for the city of Washington than for the city of Birmingham, Nashville, Louisville, or any other city in the country.

Now, that is one reaction I have on this subject. Another is, we have heard talk that the Government is to make this expenditure and that is all it is to be asked to do. We have heard such talk before and yet we have found that back they came in the next session to ask the Government to do something more. The people of Washington, that is to say, the very small fraction

of Washington that is vocal or is able to get its voice over to the public, is already complaining of the inadequacy of this proposed appropriation—they say it is a very small part of what they insist Congress should do for them on the airport. The morning paper records the complaint that the alleged "stepchild of Congress," but in reality the "spoiled child of Congress," is making because we do not make a more adequate appropriation. A mere \$500,000 donation by the Government toward the airport "is not within decency," so they say, it is "unjust, unequal, and unfair." You can not satisfy them no matter how much you give them.

I want Washington to have everything she wants but I want Washington to pay her own way just like other cities have to do. I am tired of Washington's selfish raids on the Treasury.

Let me say to the gentleman from Tennessee that I have no desire to cut off discussion but I intend to object to this bill when the proper time is reached. It will not get through with my consent.

The SPEAKER. Is there objection?

Mr. HUDDLESTON. I object, Mr. Speaker.

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to address the House for 10 minutes. Is there objection?

There was no objection.

Mr. SIMMONS. Gentlemen, about this time of year the Congress is in receipt of a series of attacks directed along the line of those just mentioned by the gentleman from Tennessee [Mr. BYRNS], and the gentleman from Alabama [Mr. HUDDLESTON]. At the present time we are in the initial stages of another campaign to get more money out of the Federal Treasury for the District of Columbia. This has been evidenced by editorials appearing in the Washington press during the last two or three days, evidenced by the action of the Citizens' Advisory Council last night, evidenced again by the action of the board of trade, who, according to the press, have stated that they are going to ask the President to appoint a national committee of economic advisers to study the problem of fiscal relations of the United States and the District of Columbia.

Every study of fiscal relations that has been made, either by the House or the Senate, by the Bureau of Efficiency or by the Bureau of the Census—all of them have demonstrated the fact that Washington is now, if anything, undertaxed and not overtaxed, and that the contribution of the Federal Government is not only fair but generous. Yet, as I say, we are in the annual campaign to try to get more money out of the Federal Treasury.

I want to refer to two editorials that appeared in the press yesterday having to do with the municipal-center appropriation that passed the House last week, and, in part, with the appropriation that has been under discussion here to-day.

Yesterday morning's Washington Post contained this statement:

The \$3,000,000 fund deposited in the Treasury to the credit of the District of Columbia is made up exclusively of taxpayers' dollars. Not one penny of Federal money is contained therein.

That statement is absolutely false. The \$7,000,000, approximately, now the surplus in the Federal Treasury to the credit of the District of Columbia, has been accumulated by the wise expenditure of District funds over the past few years. It is an accumulation or a surplus made up out of the joint funds collected from the general revenues of the District of Columbia, plus the \$9,000,000 contributed by the Federal Government. Anybody who knows anything about the fiscal policy and the handling of funds here knows that this is true.

The only way they can argue that that statement is true is to state that before any money is spent out of District revenues or out of taxpayers' funds, they spend the Federal Government's \$9,000,000. If they want to take this angle of it, I could just as well say that before any of the \$9,000,000 contributed by the Federal Government is spent, they spend all of their own money, and that this surplus is all Federal money. Neither statement is true. The surplus is made up and the money that will be spent if the Senate acts upon the municipal center resolution is the result of the savings from the combined payments of the people of the District of Columbia plus the contribution of the Government of the United States.

Then the same editorial states, going on:

And if it is used for purchasing the site for the municipal center the Federal Government will be let off without paying even its customary niggardly share of the expense of making District improvements. This will be particularly apparent if the balance of the cost of developing the municipal center is raised through sale of the present District Building to the Government.

This refers to a proposal I made to the Secretary of the Treasury that the United States buy the present District Building, give the District credit for the present value of it, and allow the District to remain in possession and use of it until a new District Building could be built on the proposed municipal center site.

Here are the facts about the present building. The land on which the building rests was bought and paid for 50 per cent by the United States Government and 50 per cent by the people of the District of Columbia. The building was paid for in the same way. It cost approximately \$2,500,000; or, in other words, the present District Building costing two and a half million dollars, is owned equitably 50 per cent by the District of Columbia and 50 per cent by the Government of the United States.

My proposal was that we not divide it in that way, but that we pay the present value of the building to the District government and allow them to build a new building from the proceeds. The District has the user right in the building. I propose to buy that right for the use of the United States. It is estimated that this cost would be about \$5,000,000. I have advised the Secretary of the Treasury that I am willing to accept the value placed thereon by the present District assessor. In other words, I am proposing to give to the District of Columbia \$5,000,000, or whatever they agree upon as the proper figure, in return for their investment of \$1,250,000, and their right of user in the present building, and yet they complain, and the Washington Star, a few days ago, referred to this proposal as a "confiscation" of the District Building by the United States.

Yesterday, in the Evening Star, the same statement that none of this surplus was Federal money was made and I need not discuss that in view of my discussion of the statement in the Post.

Then they make the statement that "the Federal Government, which in 1921, decided that 40 per cent constituted its fair share in District appropriation bills, will be contributing approximately 20 per cent plus in the 1930 appropriations."

That statement is false and anyone can find out it is not true in five minutes. They say "20 per cent plus." The plus is 8 per cent. We are paying this year approximately 28 per cent of the cost of running the municipal government in the District of Columbia out of Federal funds. The time has come when the papers of Washington ought to be willing to tell the people of this city the truth about the subject of fiscal relations.

Then they go on and discuss the matter of a Federal airport and then wind up in the matter of the municipal center with this statement:

The next step in providing for financing both airport and municipal center is to return to the fixed-ratio policy of appropriation.

That "fixed ratio policy" the Congress has repeatedly rejected and in my judgment will continue to reject—

Unless there is a return to this principle, or unless the intent of that principle is accomplished by generously increasing the lump sum, this Federal airport now about to be authorized will represent a grossly unfair burden, resulting from tyrannical treatment of unrepresented taxpayers.

And then this:

The municipal center will represent an extravagance wished on these taxpayers who must take it as a luxury and let their necessities slide by the board.

Gentlemen, I do not believe that statement represents the sentiment of the people of Washington. If it does I am ready to say that the municipal center ought to stop right where it is now.

Mr. UNDERHILL. Will the gentleman yield?

Mr. SIMMONS. I yield.

Mr. UNDERHILL. Did not the Evening Star a few months ago, when the thing was first contemplated, come out with a strong editorial urging it?

Mr. SIMMONS. Yes; the Evening Star was one of the first papers advocating a municipal center. They have asked for it;

they have urged it; until now, when they think they are going to get it, they come out and object to paying for it. The Federal Government does not owe the District of Columbia a municipal center. If it wants a municipal center—and we were led to believe by the board of trade, the chamber of commerce, the District Commissioners, by the newspapers and others, that the municipal center was needed—I have been trying to help them to get it. Congress has said they shall have it. The House by unanimous consent at this session appropriated money for the purchase of land for the municipal center as a necessity for the District of Columbia, and not as a luxury. We can go ahead on the plan that has been advocated and develop a municipal center in Washington which would be of use to the city and a thing of beauty without increasing the tax burden unduly for the people of Washington and without increased contribution from the Federal Government and without unduly curtailing other expenditures. But if it is not done, ladies and gentlemen, by Congress it will be because of the fact that a few who are selfishly trying to save something for themselves in taxes misrepresent the sentiment of the people of Washington in this matter as to what is being and will be done. [Applause.]

THE TARIFF BILL

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the tariff.

The SPEAKER. Is there objection?

There was no objection.

Mr. DICKINSON. Mr. Speaker, in discussing the 1929 tariff legislation it is well to remember that it has been passed under the same kind of a rule and under similar conditions to every other tariff bill since the days of the Civil War. Anyone that knows legislative procedure knows that in the House of Representatives a tariff bill, with all of its schedules, could not be thrown up to general amendment. For this reason some other plan must be adopted. The plan to be adopted has usually been a rule limiting amendments to committee amendments coming from the Republican side of the Ways and Means Committee. I am making this statement to show that no exceptional rule was adopted in this case, but that the usual method of procedure was followed.

It is also well to remember that the present tariff bill is as yet not a law. This bill has not made one-third of its legislative journey to the White House. The bill must pass the Senate, where it is subjected to a severe revision and review, and then it must pass through conference, where it is again revised and reviewed, and then, after the conference reports are adopted by both bodies, the same is finally sent to the White House. I suggest this for the reason that a great many people think that the House voted on the bill in the form in which it was to become a law. Such was not the case.

Agriculture has been emphasized throughout the campaign and the tariff revision was presumably for the benefit of agriculture. However, anyone knowing the personnel of the legislative machinery through which tariff revision must come knows perfectly well that it would be impossible to limit the revision to strictly agricultural schedules. Business is too good a guardian of its own cause to permit such a procedure. For this reason when the tariff bill was presented to the House it was necessary for the friends of agriculture to determine the plan of procedure and the tactics to be used by which they could secure the most beneficial results for farm products. I am convinced that this program was effectively worked out and was successful in its results. When the tariff bill reached the floor of the House many commodities produced on the farm were left without protection. A program was then adopted whereby the Republican members of the Ways and Means Committee would hear the various Members of Congress asking for protection on various commodities in which they were interested. The result of this demand is shown by the amendments offered by the committee themselves to the agricultural schedules with increases as follows:

Commodities	Rates of duty		
	Act of 1922	Bill as reported	Bill as amended
Live cattle.....	Weighing less than 1,050 pounds each, 1½ cents per pound; weighing 1,050 pounds or more, 2 cents per pound.	No change.....	Weighing less than 800 pounds, 2 cents per pound; weighing 800 pounds or more, 2½ cents per pound.
Dried skimmed milk.....	1½ cents per pound.....	do.....	2½ cents per pound.
Dried buttermilk.....	do.....	do.....	Do.
Butter.....	12 cents per pound (increased from 8 cents by President).	12 cents per pound.....	14 cents per pound.
Oleomargarine and other butter substitutes.....	8 cents per pound.....	do.....	Do.
Blackstrap molasses for distilling purposes.....	¾ of 1 cent per gallon.....	¾ of 1 cent per pound of total sugars (about 2 cents per gallon).	¾ of 1 cent per pound of total sugars.

Commodities	Rates of duty		
	Act of 1922	Bill as reported	Bill as amended
Olive oil in packages weighing less than 40 pounds.	7½ cents per pound.	No change.	8½ cents per pound.
White or Irish potatoes.	50 cents per 100 pounds.	do.	75 cents per 100 pounds.
Pecans:			
Not shelled.	3 cents per pound.	do.	5 cents per pound.
Shelled.	6 cents per pound.	do.	10 cents per pound.
Tomatoes:			
Tomato paste.	40 per cent ad valorem.	25 per cent ad valorem.	40 per cent ad valorem.
Prepared or preserved (canned).	15 per cent ad valorem.	do.	Do.
Onions.	1½ cents per pound (increased from 1 cent by President).	1¾ cents per pound.	2 cents per pound.
White clover seed.	3 cents per pound.	5 cents per pound.	6 cents per pound.
Ladino clover seed.	2 cents per pound.	do.	Do.
Bluegrass seed.	do.	No change.	5 cents per pound.
Cattle hides and skins.	Free.	do.	10 per cent ad valorem.
Broomcorn.	do.	do.	\$10 per ton of 2,000 pounds.
Rice straw and rice fiber.	do.	do.	Do.
Wrapper tobacco:			
Unstemmed.	\$2.10 per pound.	do.	\$2.50 per pound.
Stemmed.	\$2.75 per pound.	do.	\$3.15 per pound.
Flaxseed.	56 cents per bushel (increased from 40 cents by President).	56 cents per bushel.	63 cents per bushel.
Peanuts, shelled.	4 cents per pound.	6 cents per pound.	7 cents per pound.
Locust and carob beans and pods and seeds thereof.	8 cents per pound under paragraph 762.	No change.	Free.

You will note that the increases in the right-hand column were granted by amendment of the Ways and Means Committee after these hearings and were a direct result of the drive made by the friends of the farmer for increased protection.

It is true that many increases were granted on other commodities but when you study the list of commodities on which other increases were granted you will find that in volume of trade they are very insignificant so far as the farmer is concerned. For instance, there has been a marked increase on saddles, which is listed as one of the offsets to the benefits received by the farmer; also on velvet ribbons, braids, bristles, cotton rags, pipe bowls, dolls, toys, and so forth.

The thing I want to suggest is that the farmer sells livestock from his farm every year, butter every week, and milk every day. These tariff schedules are beneficial to him every day in the year, while on many of the manufactured schedules he is not interested in the price of the commodity from a purchaser's standpoint more often than once a year and on some of them once in a lifetime. In fact, we do not buy any more saddles in Iowa. We sell butter every day and cattle every year.

I am making this suggestion for the reason that those who attempt to show that agriculture has not been given fair consideration are reaching a conclusion that nothing but experience will demonstrate. It has always been my theory that if you permitted the farmer to get a fair return on what he had for sale, he would govern his purchases of other commodities according to his available funds, and that if you increased his returns on the farm he could regulate his expenditures to fit his own economic condition.

As an illustration, I want to suggest that I am a convert to the fact that under our present tariff system the only plausible way to approach a problem is to start with the raw product and grant a tariff on all of the processed products therefrom, clear up to the finished product purchased by the consumer. A great deal has been said about shoes. Raw hides has been one of the commodities over which tariff debate has been waged for many years. We finally were granted a low ad valorem duty on hides, and with this duty came the compensating duties on leather and shoes. In approaching this question it is well to remember that in former years we had exactly the same discussion over a tariff on wool and compensatory duties on cloth and clothing. The same argument was made against a tariff on wool that is now being made against a tariff on hides. However, who challenges the advisability of a tariff on wool at the present time? I am thoroughly convinced that a tariff on hides will be reflected in the price of cattle. Those opposing the tariff on hides are the largest shoe manufacturers in the United States. However, the early negotiations of the Ways and Means Committee indicated a tariff on leather and a tariff on shoes with no duty on hides. Just remember that the tariff on shoes requested, as well as the tariff on leather requested, was even higher than the tariff now granted with a tariff also recommended on hides.

The leather business is prostrate in the United States; the shoe business is meeting competition from Czechoslovakia that is very severe. Advertisements are now being put in the various papers showing shoes, both men's and women's, for sale at a low price made in Czechoslovakia. We also find that under the old McKinley tariff bill the tariff on hides was 15 per cent, on leather 20 per cent, and on shoes 25 per cent. For a great many

years in Canada the tariff on hides has been 17½ per cent, the tariff on leather 25 per cent, and the tariff on shoes 30 per cent. With our experimental schedule here we have a lower compensatory duty on both leather and shoes than has ever been granted in any other tariff bill in this country or any other country so far as I know. I am simply wanting to impress upon you the conclusion that the experiment is worth while at these rates and that the economic adjustment can be made as experience develops the facts as to just what the proper compensatory rates should be.

The legislative program adopted by those interested in farm protection was to secure from the committee in every available way the very best protective rates on farm commodities that could be secured, on the theory that these rates could be held in the Senate and they would be able to be carried through the conference and really written into law. For this reason we adopted the theory of not attacking a reduction in other rates to which many of us were opposed, but permitting those rates to become the subject of public criticism and attacked before the Senate. Many of us believe that before this bill is really through conference the excessive rates on some building materials and other commodities which to us are apparently too high will be reduced, while, on the other hand, the farm rates that we have put into the bill will be able to carry through in the law until the bill is placed on final passage. In my judgment, in this way we are going to secure for agriculture the very best possible results that can be secured from the present Congress under present economic conditions.

PERMISSION TO ADDRESS THE HOUSE

Mr. BURTNESS. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

The SPEAKER. If there are any other gentlemen who desire to address the House; if so, perhaps it better be determined now.

Mr. GREEN. Mr. Speaker, I ask unanimous consent to address the House for three minutes with reference to one of my colleagues.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GLOVER. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes after the address by the gentleman from Florida.

The SPEAKER. Is there objection?

Mr. GARNER. Reserving the right to object, and I do not intend to object to gentlemen making speeches, but I would like to ask if the Speaker is to recognize anyone else this afternoon to ask unanimous consent to pass legislation?

The SPEAKER. The Chair would prefer to answer that question at the conclusion of the remarks of the gentleman from North Dakota.

Mr. GARNER. The situation is this: I will suggest to the Speaker and to the gentleman from Connecticut that the gentleman from Indiana [Mr. LUDLOW] has a little resolution that has been investigated by gentlemen on that side of the House, and to which they see no objection. But I understand

it is being held back so that it may connect with other legislation such as the gentleman from North Dakota is about to address himself to. I do not like that kind of an arrangement. I think the Ludlow resolution should be submitted to the House, and if there is any objection let those who object take the responsibility. This continual putting him off does not seem fair to him. I am not going to object to these speeches, but I do give you a little warning about future legislation.

Mr. HOWARD rose.

The SPEAKER. For what purpose does the gentleman from Nebraska rise?

Mr. HOWARD. I do not want to interfere with the gentleman from North Dakota, but I am going to remind the gentleman from Texas that there will be another request for special legislation. The Speaker has kindly consented to recognize me for that purpose, and I wanted to make that known.

Mr. GARNER. Mr. Speaker, I have no objection to the Chair recognizing anyone in the House for the purpose of asking unanimous consent for the consideration of any legislation, but it occurs to me that if we are going to have an hour's speech making and then unanimous consent, it will be a little out of order. We might first have had all of our unanimous consents, and then go on with speech making until 4 or 5 o'clock this afternoon if necessary.

The SPEAKER. Under the circumstances the Chair will not put these requests until after the conclusion of the remarks of the gentleman from North Dakota [Mr. BURNES].

Mr. GARNER. Mr. Speaker, I do not want the Chair to put me in the attitude of objecting to the requests of these gentlemen. The Chair can take the responsibility of not submitting them if he desires to do so.

The SPEAKER. The Chair always likes to have the advice of the gentleman from Texas. The Chair recognizes the gentleman from North Dakota [Mr. BURNES].

THE ONE THOUSANDTH ANNIVERSARY OF THE ALTHING, IN ICELAND

Mr. BURNES. Mr. Speaker, the occasion of my asking for this time this afternoon is to call attention of the House to a resolution which I introduced at the opening of the session, House Joint Resolution 2. In June of next year the very interesting little country of Iceland is going to hold a most remarkable celebration, because it will celebrate at that time the one thousandth anniversary of the establishment of the Icelandic Parliament, known as the Althing. Invitations to attend this celebration have been extended to all representative countries throughout the civilized world, including an invitation to the United States. The reasons impelling me to introduce my resolution are set forth in the preamble to the resolution, which I shall read, with the indulgence of the House:

Whereas Iceland, that most remarkable saga land of Europe, a sovereign State in a union with Denmark, will celebrate in 1930 the one thousandth anniversary of the establishment of its legislative body, and has invited the United States to participate therein; and

Whereas the present Parliament of Iceland, the Althing, was established in 930 on the famous "Thingvellir," not far from the present capital, and as a parliamentary body has a history spanning a greater number of centuries than that of any existing nation, and as such is an inspiration to all democratic governments; and

Whereas the first white man to set foot on American soil was a native son of Iceland, Leif Ericson (the son of Eric the Red, a Norwegian who had settled in Iceland), an able and fearless sailor, who in 985 accompanied his father to Greenland, and thereafter went thence on a cruise to Norway, and on the return trip in the year 1000 discovered the American mainland, which feat constitutes the beginning of authentic American history; and

Whereas the history of this intrepid little nation is otherwise in many ways interwoven with that of our own country through the scholarly influence of its remarkable literature and particularly by the settlement in the great Northwest of a goodly number of thrifty, hard-working, and intelligent people from Iceland who with their descendants not only constitute a noteworthy fraction of our best citizens but have also contributed much to the prosperity, the education, and scientific knowledge, the business acumen, the arts, and the culture of our Nation: Therefore be it resolved, etc.

Following this preamble in the enacting portion of the resolution I have provided for two things, first, the acceptance by the President of the invitation to participate in the celebration, including the appointment of five official delegates, and secondly, for the presentation by the Government of the United States of a suitable statue or memorial to Leif Ericson as a gift of the people of the United States to the people of Iceland.

As already stated, the present Parliament of Iceland was established in 930, and spans a greater history than that of any other legislative body in the world to-day. So, evidently, the celebration is the commemoration of a most unusual and impor-

tant historical event, in which all the civilized world is interested and particularly the students of representative government and all people who enjoy the blessings thereof.

I will submit here this afternoon not my own views with reference to the importance of a matter of this sort, but rather the views of a typical, eminent student and historian. Let me quote from a lecture delivered by the Hon. James Bryce, which will be found in the chapter on primitive Iceland in the compilation of lectures entitled "Studies in History and Jurisprudence." There Mr. Bryce said:

Iceland is known to most men as a land of volcanoes, geysers, and glaciers. But it ought to be no less interesting to the student of history as the birthplace of a brilliant literature in poetry and prose, and as the home of a people who have maintained for many centuries a high level of intellectual cultivation. It is an almost unique instance of a community whose culture and creative power flourished independently of any favoring material conditions, and, indeed, under conditions in the highest degree unfavorable. Nor ought it to be less interesting to the student of politics and laws as having produced a constitution unlike any other whereof records remain, and a body of law so elaborate and complex that it is hard to believe that it existed among men whose chief occupation was to kill one another.

After describing the early history of Iceland, including the settlement thereof by the Norse vikings, Mr. Bryce describes the spot known as Thingvellir, the place where the 1930 celebration will be held, and continues:

Here, accordingly, Ulfjot having in the meantime returned from Norway with his materials for legislation, the first Althing, or General Assembly of all Iceland met in A. D. 930, and here it continued to meet year after year for a fortnight in the latter half of June until the year 1800, one of the oldest national assemblies in the civilized world and one of the very few which did not, like the English Parliament and the Diet of the Romano-Germanic Empire, grow up imperceptibly and, so to speak, naturally, from small beginnings, but was formally and of set purpose established by what would have been called, had paper existed, a paper constitution; that is to say, by the deliberate agreement of independent groups of men seeking to attain the common ends of order and justice.

It will be borne in mind that this chapter was originally prepared by Mr. Bryce as a lecture before the reestablishment of the Althing as the governing assembly of Iceland. When the publication was authorized in 1901, Mr. Bryce added a note to the matter above quoted as follows:

Since this lecture was delivered the Althing which since 1843 had led a feeble life at Reykjavik as a sort of advisory council, has been re-established as a representative governing assembly under a new constitution granted to Iceland in 1874. It now meets every second year at Reykjavik.

Mr. Bryce closes his essay on primitive Iceland with the following eulogy to this small, remarkable country:

And it is beyond doubt chiefly owing to the profusion and the literary splendor of these works of a remote antiquity—works produced in an age when England and Germany, Italy and France had nothing better than dull monkish annals or the reciters of such a tedious ballad epic as the Song of the Nibelungs—that the Icelandic language has preserved its ancient strength and purity and that the Icelandic nation, a handful of people scattered round the edge of a vast and dreary wilderness, has maintained itself, in face of the overwhelming forces of nature, at so high a level of culture, virtue, and intelligence.

Enough has been said to indicate the importance of the event that is to be commemorated. It naturally follows that the United States should and must be interested therein. This Nation could not afford not to accept the invitation even though there were no specific ties between them.

When we realize, however, how the history of Iceland is interwoven with that of our own country, we find added reasons for participation, and I submit excellent reasons for doing more than is ordinarily done in accepting invitations from other countries to participate in the commemoration of some historic event of especial importance to such foreign country.

First of all, we find that the first white man who set foot on American soil was a native son of Iceland, Leif Ericson. There is no longer any dispute as to the discovery of America by the Norsemen. Such discovery is accepted as a historic fact by all authorities.

It seems entirely unnecessary to cite specific proofs thereof. It is, however, interesting to note that President Coolidge in an address delivered on June 8, 1925, in his capacity as Chief Executive of this Nation, before the so-called Norwegian centennial celebration at the Minnesota State Fair Grounds, in unequivocal language recognized such discovery. Let me quote the following interesting excerpts from that well-prepared address:

But even before William of Normandy had conquered at Hastings, Leif, the son of Eric, near 500 years before Columbus, appears to have found the New World. Indeed, there seems little doubt that several centuries before Columbus saw the light of day there was born upon American soil, of Norse parents, a boy who afterwards became so great a mathematician and astronomer that his studies may have contributed much to the fund of knowledge which helped Columbus formulate his vision of the world as we know it. Among the fascinating chapters in the history of the Dark Ages is the story of Iceland. As a little Norse Republic it maintained itself for several centuries as one of the real repositories of ancient culture in a world whose lamp of learning seemed near to flickering out. We have long known of the noble Icelandic literature which was produced during those generations of the intellectual twilight; but we know too little of the part which Iceland performed as an outpost of the sturdy northern culture in bridging over the gulf of darkness between the ancient and modern eras of history.

These sons of Thor and Odin and the great free north shape themselves in the mind's eye as very princes of high and hardy adventure. From Norway to Iceland, from Iceland to Greenland, from Greenland to the mainland—step by step they worked their way across the North Atlantic.

Mr. O'CONNOR of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. BURTNESS. Yes.

Mr. O'CONNOR of Louisiana. Is the gentleman aware of the fact that historians of considerable repute in the world attribute the discovery of America in the sixth century to the Irish?

Mr. BURTNESS. I have not heard of it. But I will say that if substantial evidence is submitted that they did discover it, we certainly ought to give them very great credit for so doing.

This resolution is simply a recognition of an honor due to that country which all historians now concede gave birth to that intrepid sailor and viking adventurer who did discover America in the year 1000. Certainly that does not detract from any of the honor that this country owes and readily yields to anyone else, including the rediscovery of America in 1492 by the fearless sailor from Genoa, Christopher Columbus.

Mr. GREEN. Under the auspices of a great Spanish Government.

Mr. LAGUARDIA. And the gentleman will say that at least we have tangible, living historical record of the discovery of Columbus.

Mr. BURTNESS. And we have likewise ample historical records of the discovery of this country by Leif Ericsson, as to which I am sure the gentleman and my friend agree.

Mr. Speaker and Members, I have been very much pleased with the fine editorial comment which has been given to this resolution since it was introduced, a comment has been spontaneous and without any propaganda or anything of that sort. I have here a reprint of an editorial in the New York Evening Post, which I shall not take the time to read, but which with others I may append by way of extension if granted. In this morning's issue of the New York Times I find an editorial headed Iceland's Millennium, which is so appropriate in view of the fact that the eyes of the world are now directed to the country of Iceland because of the air flight to that country by the Swedish flyers and who will continue on therefrom, that I shall read it:

ICELAND'S MILLENNIAL

While the eyes of the west are turned toward Iceland, in the hope that the Swedish flyers may be able to continue in their course, Iceland's entire population of 100,000 is by their visit only for the moment diverted from thoughts of the celebration next year of the thousandth anniversary of the establishment of its parliament. It was in the year 930 A. D. that the "Althing," its legislative assembly, was organized. Though its powers have been subject to change, it has been the continuous existence for these thousand years and has recently come into virtually complete autonomy, subject with Denmark to the same King.

A joint resolution has been introduced in Congress by Representative BURTNESS, of North Dakota, authorizing the President of the United States to accept the invitation of the Government of Iceland to participate in the celebration. The resolution provides that a special delegation of five official representatives of the American people shall be sent on this special mission. The preamble recites that the history of this intrepid little people is interwoven with our own through the scholarly influence of its literature and through the contribution to our prosperity and culture of a goodly number of descendants of Iceland in America—40,000 descendants in Canada and the United States, it is estimated. Moreover, the persistence of a legislative body through so many centuries deserves recognition by other peoples that have themselves made successful use of a parliamentary system, and especially by our own country, to

which Iceland is a near neighbor, no farther away than San Francisco is from New York.

Another reason is offered. It was a native son of Iceland, Leif Ericsson, son of Eric the Red, who in the year 1000 "discovered the American mainland." The location of Vinland is not definitely established. And Leif Ericsson may not, as a recent American poet has put it, "Have come rowing up the Charles River in the sea-battered dragon ships." But somewhere on the mainland he did doubtless land, and the genealogy of many living is traced back to the child of Thorfin Karlsefne, the first white child, so far as known, born on this continent. It is proposed that a "suitable statue" of Leif Ericsson shall be presented as a gift of the American people to the people of Iceland in connection with the celebration. We should at any rate be represented there as a Nation, and if the Government does not go so far as to send the statue of Leif, private funds should provide this monument to him, of whose exploit it has been said:

"Not till Leif's sons set foot upon the moon
Will such a deed as his be done again."

Immigrants from Iceland and their descendants have in more recent times contributed much to our Nation. They are found in substantial settlements in the Northwestern States. Most of them are farmers of a high degree of intelligence, thrifty and capable, tremendously interested in education, and constituting one of the finest elements in our American citizenship. Many are well-known professional men—educators, lawyers, judges, doctors, and clergymen. A substantial number are found in our larger cities devoting their time to literature, painting, sculpture, and other arts. A few have made pronounced success in commercial pursuits. As typical of the adventurous spirit, the intelligence, the energy, and the thorough preparation of the old vikings, I might mention the world-renowned Icelandic-American, Vilhjalmur Stefansson.

Much could appropriately be said at this time with reference to the contribution of the Norse people generally, not only to this country but to England as well. Lack of time forbids so doing, but I might say that the coveted right possessed by Americans and by the people in almost all free governments of the right of trial by jury originated, as far as my investigation discloses, with the Norse people. Everyone on the floor this afternoon knows that it was through the influence of the Normans and other settlers of Norse blood in England that the right of trial by jury was granted to the people of that great country, but long before that time the jury system had been in force and effect in the little country of Iceland. Is it, therefore, remarkable that the Hon. James Bryce paid the liberty-loving people of that little nation such a wonderful tribute as that which I read to you a few moments ago?

Have I not made out my case in favor of this resolution? Is not the cause and success of representative government wherever same is found in the world worthy of recognition by the greatest Republic on the face of the earth? Is not the discoverer of America worthy of having a suitable memorial built for him in his native land out of the Treasury of the United States?

I hope soon to get an opportunity to call up this resolution for action on the floor, and I bespeak for it favorable consideration at your hands. You would honor America more by such action than you would honor Iceland.

By way of extension granted me I include herewith a couple of editorials and other documents. The first is an editorial from the May 31, 1929, issue of the New York Evening Post, and is as follows:

AMERICA AND ICELAND

One matter upon which Senate and House should find no difficulty in agreeing is the joint resolution authorizing the President to accept the invitation of the Kingdom of Iceland to participate in the celebration next year of the one thousandth anniversary of the founding of the Icelandic Legislative Assembly, the Althing, and as signaling our interest in this occasion to present to the people of Iceland a statue of Leif Ericsson, discoverer of the American mainland in the year 1000. This would be a graceful and impressive international act. In 1874 our American poet, Bayard Taylor, went to the millennial celebration of the discovery of Iceland as representative of the New York Tribune. As he approached the shores of that country he was inspired to write a poem of greeting which he entitled "America to Iceland" and which will doubtless be frequently reprinted and recited in connection with next year's celebration. The poem is as follows:

We come, the children of thy Vinland,
The youngest of the world's high peers,
O land of steel and song and saga,
To greet thy glorious thousand years.

Across the sea the son of Eric
Dared with his venturesome dragon's prow;
From shores where Thorfinn set thy banner,
Thy latest children seek thee now.

Hail, motherland of skalds and heroes,
By love of freedom hither hurled,
Fire in their hearts, as in thy mountains,
And strength like thine to shake the world.

When war and ravage wrecked the nations,
The bird of song made thee her home;
The ancient gods, the ancient glory,
Still dwelt within thy shores of foam.

Here as a fount may keep its virtue,
While all the rivers turbid run,
The manly growth of deed and daring
Was thine, beneath a scantier sun.

Set far apart, neglected, exiled,
Thy children wrote their runes of pride,
With power that brings in this, thy triumph,
The conquering nations to thy side.

What though thy native harps be silent,
The chord they struck shall ours prolong,
We claim thee kindred, call thee mother,
O land of saga, steel, and song.

The next is an editorial published in April by the Grand Forks Herald, a daily newspaper published at Grand Forks, N. Dak. It is as follows:

HONORING A PEOPLE

It was appropriate that the resolution authorizing the President to accept the invitation to be represented at the thousandth anniversary celebration of Icelandic government should come from a North Dakotan. One of the oldest and largest settlements of Icelanders on the continent is in the North Dakota district represented by Congressman BURTNESS, and that settlement has given to the State and to the Nation some of their distinguished citizens. In the resolution covering the subject, Mr. BURTNESS paid high and deserved tribute to the character of these people and to the history of the land from which they are derived.

It is due very largely, of course, to its isolated position that Iceland has preserved down through the centuries its purity of race, language, and culture. But isolation has its dangers. Seldom in the course of history has a small group, cut off from communication with the rest of the world, escaped deterioration. Habits have become fixed, minds have become closed, and little by little there has been a slipping backward until what there was of real civilization has been lost.

It has not been so with the people of Iceland. It is true that they were not separated entirely from the rest of the world, for their hardy and enterprising men braved the dangers of the deep, carried on commerce with the lands which their forefathers had left, and, with Leif Ericsson, explored lands unknown to the civilized world of that day. Yet there was isolation. The little country was far off the usual road of travel, and in the main the people who inhabited it spent their lives there. From some source they had brought with them elements of character which made their history different from that of other peoples somewhat similarly situated. They had within themselves the elements which made for wholesome living and constructive thinking. When the first representative government was established in Iceland, Alfred the Great of England had only recently been gathered to his fathers. In the millennium that has passed England has experienced several revolutions, has suffered from numerous civil wars, and has passed through numerous constitutional changes. During the same long period Iceland has maintained intact its own system of government, making such changes as seemed wise from time to time, but always in a regular and orderly manner. Her people have been given the advantages of education, and her scholars and writers have kept pace with the thinking of the world and with its achievements in literature. There has been no deterioration, but rather continuous and orderly progress, and the little nation which is soon to celebrate its thousandth anniversary may well be proud of the achievements of 10 centuries of history.

I also include the report made on my resolution by the Secretary of State in response to a request for a report thereon by the Hon. STEPHEN G. PORTER, chairman of the House Committee on Foreign Affairs. That report is as follows:

DEPARTMENT OF STATE,
May 29, 1929.

The Hon. STEPHEN G. PORTER,
House of Representatives.

MY DEAR MR. PORTER: In reply to your letter of May 13 requesting a report on House Joint Resolution 2, introduced by Representative BURTNESS, to authorize the President to appoint representatives to the one thousandth anniversary of the Althing and to present to the people of Iceland a statue of Leif Ericsson, I have pleasure in informing you that upon February 23 last the department received from the presidents of the Legislative Assembly of the Kingdom of Iceland an invitation to the Government of the United States to send special representa-

tives to take part in this anniversary, which will be held about the end of June, 1930.

On March 8 the department in a note to the minister of Denmark requested that through his kind intermediary the presidents of the Legislative Assembly of the Kingdom of Iceland be informed that this Government deeply appreciated this courteous invitation, but sincerely regretted that it would be unable to accept it.

While the Department of State is not in a position to recommend favorable action upon the proposed resolution, it has no objection to the measure, if for any reason Congress should think it wise favorably to accept it.

I am, my dear Mr. PORTER, very sincerely yours,

H. L. STIMSON.

PULASKI CELEBRATION

The SPEAKER. The Chair is now prepared to recognize the gentleman from Indiana [Mr. LUDLOW], and following him the gentleman from North Dakota [Mr. BURTNESS].

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Joint Resolution 50.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Senate Joint Resolution 50

Joint resolution to provide for the observance of the one hundredth and fiftieth anniversary of the death of Brig. Gen. Casimir Pulaski

Whereas October 11, 1779, marks, in American history, the date of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Indiana, Wisconsin, Michigan, Ohio, South Carolina, Pennsylvania, New York, Minnesota, Maryland, New Jersey, Illinois, and other States of the Union have, by legislative enactment, designated October 11, 1929, to be "General Pulaski's Memorial Day"; and

Whereas October 11, 1929, marks the one hundred and fiftieth anniversary of the death of General Pulaski, and it is but fitting that such date should be observed and commemorated with suitable patriotic exercises: Therefore be it

Resolved, *etc.*, That the President of the United States is requested, by proclamation, (1) to invite the people of the United States to observe October 11, 1929, as the one hundred and fiftieth anniversary of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, by holding such exercises and ceremonies in schools, churches, or other suitable places as may be deemed appropriate in commemoration of the death of General Pulaski, and (2) to provide for the appropriate display of the flag of the United States upon all governmental buildings in the United States on such date.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LUDLOW. Mr. Speaker, it is to me a source of gratification that the first measure which it is my fortune to pilot through the Congress of the United States tenders the homage of a grateful country to one of the most dashing and engaging personalities the world has ever known, a zealous friend of humanity whose restless and unconquerable spirit played a superhero's part on war's great stage when the greatest nation of all time was being born in the travail of revolution, and heroes were the common mold of men.

No feeble tribute of mine could add to the laurels that history has placed on the brow of Gen. Casimir Pulaski. I shall therefore content myself with a simple statement of the gladness it affords me to be the author of a measure upon which the Congress this day has placed the stamp of its approval and which now goes to the President, requesting him to proclaim October 11 next as Pulaski sesquicentennial memorial day and to invite all of the people under our flag to assemble in convenient places on that day, and by such ceremonies as they may devise pay their tributes of reverence to the great son of Poland who loved us so much that he crossed the seas to fight for us, whose loyalty ended only when he gave his life that America might be free.

In the world's solemn history Casimir Pulaski stands out like a mountain peak as a protagonist of human freedom. He was born in one of the blackest periods of Poland's tragic subjugation, when his compatriots were crushed by a cruel conspiracy against the rights of man, a league of infamy between the

strong to crush the weak. Never was there a more pathetic picture of selfishness, rapacity, and violence than Poland presented when Pulaski was a youth. He became the articulate voice of a mercilessly oppressed but unsubdued people. That voice rang through Poland; it rang through Europe; it reached the throne of Russia and the answer from the throne was "Death to liberty!"

The star of freedom in Poland had set. With infinite sadness in his heart and the gibbet staring him in the face, Pulaski made his way to Turkey and thence to Paris, where he learned that in America a new field was opening where he might unsheath his sword for the same rights of mankind, the same immutable laws of justice for which he had fought in his own Poland.

I am not going to retrace now the record of General Pulaski's glorious achievements in behalf of America. From the time he gave his hand and his heart to General Washington until death claimed him at the siege of Savannah, only a little over two years later, he wrought gloriously. Unable to speak a word of English when he pledged his loyalty to Washington as a volunteer, he soon proved himself a genius of cavalry, and at Brandywine, at Germantown, and a score of other battle fields he laughed at death and wrote his name among the immortals. In the affections of posterity he has an abiding place. Around the firesides and in the vast, crowded halls of the future, wherever worth is recognized and genius is extolled, his achievements will be recalled with pride by countless generations yet unborn. On October 11 it will be 150 years since he gave the last full measure of devotion and his body was committed to the sea, but the glory of his services to mankind does not dim with age, and no doubt citizens everywhere will rally to the President's proclamation to honor him, for certainly he won his title to the Nation's grateful remembrance.

THE ONE THOUSANDTH ANNIVERSARY OF THE ALTHING, IN ICELAND

Mr. BURTNESS. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 2.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House Joint Resolution 2

Joint resolution to authorize the President to accept the invitation of the Kingdom of Iceland to participate in the celebration of the one thousandth anniversary of the Althing and in connection therewith to present to the people of Iceland a statue of Leif Ericson

Whereas Iceland, that most remarkable saga land of Europe, a sovereign State in a union with Denmark, will celebrate in 1930 the one thousandth anniversary of the establishment of its legislative body, and has invited the United States to participate therein; and

Whereas the present Parliament of Iceland, the Althing, was established in 930 on the famous "Thingvellir," not far from the present capital, and as a parliamentary body has a history spanning a greater number of centuries than that of any existing nation, and as such is an inspiration to all democratic governments; and

Whereas the first white man to set foot on American soil was a native son of Iceland, Leif Ericson (the son of Eric the Red, a Norwegian who had settled in Iceland), an able and fearless sailor, who in 985 accompanied his father to Greenland, and thereafter went thence on a cruise to Norway, and on the return trip in the year 1000 discovered the American mainland, which feat constitutes the beginning of authentic American history; and

Whereas the history of this intrepid little nation is otherwise in many ways interwoven with that of our own country through the scholarly influence of its remarkable literature, and particularly by the settlement in the great Northwest of a goodly number of thrifty, hard-working, and intelligent people from Iceland who with their descendants not only constitute a noteworthy fraction of our best citizens but have also contributed much to the prosperity, the education, and scientific knowledge, the business acumen, the arts, and the culture of our Nation: Therefore be it

Resolved, That the President be, and he is hereby, authorized and requested to accept the invitation of the Presidents of the Legislative Assembly of the Kingdom of Iceland (the Althing) to the Government of the United States of America to appoint official representatives of the American people to the celebration of the one thousandth anniversary of the Althing, the National Parliament of Iceland, by appointing and sending five special representatives to take part in this celebration on behalf of the Government of the United States of America; and the President be, and he is hereby, further authorized and requested to procure a suitable statue of Leif Ericson and present the same as a gift of the American people to the people of Iceland in connection with the American participation in such celebration.

SEC. 2. That for the purpose of defraying the expense of participation by the Government of the United States in the said celebration as aforesaid an appropriation of such sum as may be necessary is hereby

authorized to include transportation, subsistence, or per diem in lieu of subsistence (notwithstanding the provisions of any previous act), sculptors' fees, and such other expenses as the President shall deem appropriate.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. LAGUARDIA. Reserving the right to object, Mr. Speaker, I want to ask the gentleman from North Dakota [Mr. BURTNESS] whether or not he will consent to strike out his whereas clauses, because I do not believe that the House of Representatives by unanimous consent ought to attempt to write history? We may have differences of opinion as to certain historical facts and there is no use to inject the issue in this discussion. We all agree on the desirability of participating in the anniversary of the establishment in Iceland of the first parliamentary government of the world, and we all have the greatest admiration and love and affection for the people of Iceland. We should not mar the occasion by injecting something that is controversial, and by an attempt to place the American Congress on record on a much-mooted question. I think the gentleman can achieve his purpose with the adoption of the resolution and follow the well-established custom of the House by striking out the preamble and the whereas clauses.

Mr. BURTNESS. Mr. Speaker, I will say to the gentleman that in drawing this resolution I drew it very carefully, so that if it were found advisable for the preamble to be stricken out it might be stricken out and the resolution itself would still be legislatively complete.

It is true the preamble is not necessary, so far as a legislative act is concerned. However, I have this in mind: This is a resolution which, if agreed to, is passed in a way to honor another country, and what we say in this preamble, or what I have tried to say in the preamble, shows some of the reasons why we are particularly interested in participating in the celebration. It refers to the contributions which this country has received from Iceland not only because of the fact that a native son of that country first set his foot upon this continent but also by way of recognition of citizenship of that country who have come to our shores and who have made splendid American citizens and contributed much to our Nation in many ways. In view of the fact that the enactment of this resolution would be an international act indicating good will and friendship, I was in hopes that Congress would depart from the usual legislative rule and permit the preamble to stay in. I understand from the chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. PORTER], that a preamble has been quite customary in the case of resolutions dealing with international matters.

Mr. SNELL. Mr. Speaker, will the gentleman yield there?

Mr. BURTNESS. Yes.

Mr. SNELL. How much does the gentleman estimate it will cost to build the statue proposed?

Mr. BURTNESS. My best information is that it will not cost more than \$50,000. That is the information given to me by the gentleman from Massachusetts [Mr. LUCE]. That is about the price usually paid for statues which have come under the jurisdiction of his committee.

Mr. SNELL. What would be the expense of participating in this celebration?

Mr. BURTNESS. Only a few thousand dollars.

Mr. SNELL. We have been appropriating much more than that this morning for an international radio conference.

Mr. BURTNESS. The expense would be only for five delegates, who would serve without pay; just the expense of sending them.

Mr. LAGUARDIA. You would want to send them in proper style. You would not want to send them over in the steerage.

Mr. BURTNESS. Certainly; but I do not think it necessary to send the United States Army or Navy or a large retinue of attachés over there.

Mr. LAGUARDIA. I hope the gentleman will agree to my suggestion to strike out the preamble. He accomplishes his purpose in the resolution without the preamble. Why start something?

Mr. BURTNESS. Of course, under the situation existing in the special session, I realize that we can do this only by unanimous consent, and that I must yield to any serious objection that the gentleman makes. I only take the position that the gentleman should not insist on his stand. The preamble is only explanatory and hurts no one. I stated frankly to the House that the legislation proposed would still be complete without the preamble.

Mr. LAGUARDIA. And carry out the purpose the gentleman has in mind, to which we all have agreed.

Mr. O'CONNOR of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. BURTNESS. Yes; certainly.

Mr. O'CONNOR of Louisiana. I did not intend, in propounding the question I did to the gentleman from North Dakota, to question the discovery of America by Christopher Columbus, to whom the credit is given by most of the historians of the world, but merely to suggest, as Napoleon said on one occasion, that history is a fable agreed upon, and there are many accounts of the discovery of America, and in one of them credit is given to the Irish for the first discovery of America. That historical or traditional voyage was made by St. Brendan, who was, in accordance with Irish song and story, accompanied by a number of Irish heroes.

Mr. LA GUARDIA. Mr. Speaker, I insist on striking out the preamble.

Mr. BURTNESS. I will therefore yield to the suggestion of the gentleman from New York [Mr. LA GUARDIA] and, if consent is given for consideration, will not object to striking out the preamble.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. BURTNESS. Yes.

Mr. GARNER. Will the gentleman assure Congress that he will not come back later and ask for an appropriation in excess of \$3,000?

Mr. BURTNESS. The amount to be expended is a matter that can be properly safeguarded and taken care of by the Appropriations Committee when they get the exact estimates as to what the cost of the statue and the expenses of delegates will be.

Mr. GARNER. I do not want to object to the gentleman's resolution. The only objection I can see to it now is as to what it is going to cost the Government. The gentleman ought to be able to say and assure the House that he will not come back for a greater sum. The gentleman has said it would cost three or four thousand dollars.

Mr. BURTNESS. Oh, no; that was for the expenses of the delegates. I said \$50,000 for the statue, which the gentleman from Massachusetts [Mr. LUCE] tells me seems to be the usual cost of a statue worth while.

Mr. GARNER. In other words, this resolution will cost \$54,000?

Mr. BURTNESS. Yes; approximately that.

Mr. GARNER. At least?

Mr. BURTNESS. Yes; that is my best estimate on available information.

Mr. GARNER. I would like to know what the gentleman from Connecticut thinks about this resolution.

Mr. TILSON. I think it ought to be passed. I think this is one of those handsome things we ought to agree to.

Mr. GARNER. Mr. Speaker, further reserving the right to object, to what committee would this bill originally go?

Mr. BURTNESS. To the Committee on Foreign Affairs, and if I had had the time in my discussion this afternoon I would have advised the membership of the House that all the members of that committee with whom I have been able to talk, including the chairman of the committee, several of the ranking Members on the Republican side, and including also the ranking Member on the Democratic side, the gentleman from Maryland [Mr. LINTHICUM], as well as the gentleman from Virginia [Mr. MOORE], are heartily in favor of the passage of this resolution. Both of these men authorized me to say to the Speaker and to the Members of the House that they believe the resolution should be passed. I have also letters in my files, or copies of letters, from most of the members of the committee indicating approval of the resolution.

Mr. LA GUARDIA. Would the gentleman be willing to provide that this statue should be the work of an American artist?

Mr. BURTNESS. I am glad the gentleman from New York asked that question. I have agreed with the gentleman from New York upon the general proposition that ordinarily anything of this sort that is to be paid for out of the Federal Treasury should be done by an American artist.

If the statue were to be placed within the United States certainly I would so contend in this case. However, I hesitate to adopt the suggestion in this particular case for one reason, and for one reason alone, and that is the fact that perhaps the world's outstanding sculptor lives in Reikjavik, Iceland, Mr. Einar Jonsson. In view of Mr. Jonsson's high standing I am inclined to think that the State Department or the President ought to be given the privilege of taking into consideration the question as to whether the statue should be constructed by Einar Jonsson, living in Iceland, the place where the statue is to be placed, or whether it should be constructed by an American sculptor. Certainly if it is not constructed by Einar Jon-

son I would be very much disappointed if it were not constructed by some American making his living and earning his livelihood within the United States.

Mr. LA GUARDIA. I am convinced that if it is constructed by Einar Jonsson all the artists in this country will be satisfied. There is no question about that, but the trouble is we have some of these perambulating artists who go around to afternoon teas and get commissions away from real American artists and sculptors of merit and repute.

Mr. BURTNESS. The responsibility under this resolution is placed upon the President of the United States, and I do not believe the President, with the advice of the State Department, is going to commission some perambulator to do the work. I would hesitate to eliminate Mr. Jonsson from consideration. I believe we can safely leave it as the resolution stands, particularly with this explanation in the RECORD.

Mr. STAFFORD. Mr. Speaker, under the reservation of the right to object, I wish to direct inquiry as to the appropriateness of presenting any statue in connection with this celebration. Do I understand that the gentleman from North Dakota has made an investigation and ascertained that in their capital they have no statue of Leif Ericsson?

Mr. BURTNESS. That is my understanding, but my investigation has not been so complete that I would want the House to rely upon it.

Mr. STAFFORD. If they do have a statue would it not be considered out of place for the American Government to present another? Milwaukee, through the descendants of Norwegian ancestry, and I know of many other large cities, has a statue of Leif Ericsson, commanding a prominent site overlooking the lake. I am in sympathy with the idea that our Congress should recognize this celebration, but are we not proceeding rather precipitately? Suppose the Republic or Kingdom of Iceland—it is a kingdom, I believe?

Mr. BURTNESS. It operates under a joint king.

Mr. STAFFORD. Suppose the Kingdom of Iceland already had a statue of that great and intrepid, as the gentleman says, Norwegian explorer, would it not be out of place for our Government to erect another statue? I think we should have some investigation made of that matter before we offer a token of our regard for the Kingdom of Iceland, limited to a statue.

Mr. BURTNESS. I may say to the gentleman that Icelandic Americans who have traveled back and forth between Iceland and this country and with whom this thought originated have not indicated at any time to me—and I have talked with several of them on various occasions—the presence of any statue of Leif Ericsson in Reykjavik, but it may be advisable to add after the word "statue" the words "or memorial," so that if there should be what you might call an ordinary statue there now our Government could give consideration to the question of whether the memorial should take some other form, although I do know that the people in this country who are interested in the matter prefer above all other things a statue that would typify their concept of the individual, Leif Ericsson.

Mr. LA GUARDIA. There would not be any conflict if there were another statue there now.

Mr. BURTNESS. Not at all, but the other might under such circumstances be fully as appropriate. I mean some other suitable form of memorial.

Mr. STAFFORD. Would the gentleman be willing in that connection to place a limit of cost of, say, \$100,000?

Mr. BURTNESS. I have no objection to that whatever.

Mr. STAFFORD. I think there should certainly be some limit of cost.

Mr. GREEN. Why make it \$100,000? The gentleman has said that it would cost \$54,000 or \$55,000. If we make it at \$100,000, they will spend that amount.

Mr. STAFFORD. Oh, no.

Mr. BURTNESS. Suppose we say \$55,000; I believe that should prove sufficient and would also make something definite for the Appropriations Committee to act on at once.

Mr. STAFFORD. With that understanding, I shall have no objection.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

Mr. LA GUARDIA. Mr. Speaker, with the understanding I have with the gentleman from North Dakota that he will consent to the striking out of the "whereases," I have no objection.

The SPEAKER. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I desire to offer an amendment: In line 4, page 3, after the word "statute," insert "or other memorial," so that it will read "procure a suitable statue or other memorial."

The SPEAKER. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 3, line 4, after the word "statue," insert "or other memorial."

The amendment was agreed to.

Mr. STAFFORD. Then as a further amendment, after the word "Ericson," in line 4, page 3, insert "at a limit of cost not to exceed \$50,000."

Mr. BURTNESS. If I may have the attention of the gentleman from Wisconsin, would he not accomplish his purpose by proposing an amendment of the words "not exceeding \$55,000" in line 10, following the word "necessary"? The gentleman will note that section 2 covers all sculptors' fees and the expenses of participation.

Mr. STAFFORD. Following the suggestion of the gentleman from North Dakota, I will withdraw the last amendment and offer it after the word "necessary."

The SPEAKER. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 4, line 10, after the word "necessary" insert the "at a cost not exceeding \$55,000."

Mr. BURTNESS. May I say to the gentleman from Wisconsin that the amendment should be "not exceeding \$55,000," because it is the appropriation we are dealing with and not the cost.

Mr. STAFFORD. I ask unanimous consent to withdraw the amendment and modify it to read "not exceeding \$55,000."

The SPEAKER. Without objection, the amendment will be withdrawn and the Clerk will report the amendment as modified. There was no objection.

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 4, line 10, after the word "necessary," insert the words "not exceeding \$55,000."

The amendment was agreed to.

Mr. BURTNESS. Mr. Speaker, I ask unanimous consent that the spelling of "Ericson" may be corrected. I believe the proper spelling is "Ericsson," although it is spelled differently in a great many publications.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The bill was ordered to be engrossed and read a third time.

Mr. BURTNESS. Mr. Speaker, I move to strike out all the whereas clauses.

The motion was agreed to.

The bill was read a third time and passed.

On motion of Mr. BURTNESS, a motion to reconsider the vote by which the bill was passed was laid on the table.

HON. HERBERT J. DRANE

Mr. GREEN. Mr. Speaker, I ask unanimous consent to proceed for three minutes to make an announcement.

The SPEAKER. The gentleman from Florida asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. GREEN. Mr. Speaker and fellow Members, I have a brief announcement that I believe the House will take pleasure in sharing with me. It is an announcement affecting my distinguished colleague the Hon. HERBERT JACKSON DRANE, of the State of Florida.

Congressman DRANE moved to our State while yet a young man and, like many other of our citizens born in other States, is one in whom we are well pleased and justly proud. He is not a college man, but is a practical engineer, one of the greatest engineers our State has ever had; also a business man of acumen and marked success; mayor of his city, member of the finance board of Polk County, member of the Florida Legislature in both Houses, and presiding officer of the Florida Senate, as well as 14 years of unselfish and exemplary service in this great body. He is a man of retiring modesty but of profound wisdom and that deep sense of honor which unselfishly and effectively serves his fellow man. An honor has been conferred upon him which very often goes to members of the bar, most distinguished judges, to those who have excelled in the educational world, but seldom—yes; rarely—to those in other walks of life. He has received an honorary degree in the appreciation and recognition of his unselfish, full, and patriotic services to his fellow man and to his country. [Applause.]

Southern College, one of the best small colleges in the world, located in Lakeland, Fla., has just recently conferred the

honorary degree of doctor of laws upon my able and distinguished Florida colleague the Hon. HERBERT JACKSON DRANE. [Much applause.]

FLOOD CONTROL

Mr. GLOVER. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GLOVER. And I ask unanimous consent to incorporate a letter I have received from the county judge.

The SPEAKER. Is there objection?

There was no objection.

Mr. GLOVER. Mr. Speaker and gentlemen of the House, I ask your attention for a short time this morning to study with you and discuss the great question of flood control on the Mississippi River and its tributaries, which is one of the greatest questions that is now before the people of the United States.

You who have been serving here in Congress for some time are familiar with the legislation that has been passed by Congress toward the solution of this question.

The first bill passed was one declaring it to be the policy of the United States Government to establish a permanent flood-control system for this great river and its tributaries. This act was not specific in this: That it did not go into details as to how the work should be performed, but is more in the nature of declarations of a policy on the part of the Government.

We then had passed another bill, which provided for the appointment of three engineers to make a survey and to report their investigations back to the President, and the plan adopted by the President was to become the flood-control plan to be carried out by this Government.

That survey was made by General Jadwin and his two assistants; his report was made back to the President of the United States during President Coolidge's administration, and was in part adopted by the President, but not in full, as I understand it.

The plan outlined in the Jadwin report south of Arkansas City, Ark., on the Mississippi, and between that point and the Ouachita and Red Rivers, is the territory in this flood control that I desire to call your attention to especially.

The plan proposed—and which has not yet been adopted, as I understand—is to construct what they have termed a spillway and a fuse-plug levee above it so that when the river reaches a certain point—we will say at Arkansas City—this fuse-plug levee would wash out and cause the water to be turned down through a section of very rich and fertile country and be overflowed and destroyed in value.

The plan contemplates the construction of a levee from near Dumas in Desha County, Ark., parallel with the Missouri Pacific Railroad until it reaches the Ouachita River, and also the construction of another levee leaving the main levee on the Mississippi at a point opposite Greenville, Miss., and on the Arkansas side and extending by way of Lake Village to Eudora, and from Eudora back to the main levee of the Mississippi and leaving this vast territory, comprising the most of Desha and Chicot Counties in Arkansas, in what is known as the spillway for all of the flood waters accumulated above the levee and in case of an excessive overflow of the river would flow through the spillway and cause great damage.

They are also contemplating another levee from this levee that parallels the Missouri Pacific Railroad beginning at a point just north of McGehee and intersecting the main levee on the Mississippi a few miles above this point. When the Mississippi River at Arkansas City reaches a height of 60 feet and a fraction this fuse-plug levee will wash out and cause all of the territory below this, composed of many thousand acres of valuable land in cultivation now, to be overflowed and the waters rushed over them through this spillway.

Just why it is contemplated by this plan to take and destroy such a vast territory which is included in this spillway is absolutely incomprehensible.

The publication of this plan by the engineers and The Adjutant General for building it has caused a great deal of damage to the lands situated below this fuse-plug levee. The lands affected by the spillway have been damaged now in price until there is no sale whatever for the lands. No one wants to purchase valuable lands under the conditions that this would place those lands in when this plan was carried out. One had as well lay out a city establishing a leper colony in the center of it and ask people to buy as to ask them to purchase lands under the conditions these lands will be placed in. If a dynamite plant was established near your premises, you can imagine how it would affect the sale of the property.

I am informed that the National Government has refused to make any farm loans on lands affected by this spillway or to be affected by it. The agitation of this plan whether carried out or not has been a great damage to property in this section.

The National Government in the past laid out what it classed as a standard levee that it claimed would always protect those lands. Before the standard levee, as proposed by the engineers of the War Department, was built, it was necessary that the owners take care of the storm waters that found their natural outlet in Desha County through Cypress Creek drainage system, which system appears to have been formed by natural causes many years before any levee construction had been undertaken.

About the year 1910 this survey was undertaken by the Department of Agriculture, and soon after the completion of the survey a bill was introduced in the Arkansas Legislature creating the Cypress Creek drainage district, which the preamble to that bill recited that the drainage district is being constructed for the purpose of closing the Cypress Creek gap, thereby making it possible for the Government to build its standard levee.

The property owners were told, and it was understood by all the property owners, that the standard levee anticipated the highest possible stage that could exist and that we would have a territory forever protected from the ravages of the Mississippi River.

This Cypress Creek drainage project was financed, so far as the survey was concerned, by the Department of Agriculture, and the act creating the district provided that the levee district might use its funds in assisting in this project. In other words, both the levee and drainage acts anticipated a levee system and not a drainage system.

In order that these storm waters might be carried on through this artificial outlet the people of Chicot County formed a similar project, taxing their lands, under the project which was to protect themselves from the Mississippi River. It will be noted that the legislature from time to time found by legislative declarations that these lands would be greatly enhanced in value and thus authorizing the expenditure.

If these guide and controlling levees in case of high overflow should break after being constructed, then the very portion of the county that they proposed to protect would have the waters piled to the height of the guide levee, which would leave such towns as McGehee and Dermont in Arkansas, and Montrose in Louisiana, in a thousand times worse position than Arkansas City was during the 1927 flood, because they will not only be subjected to a great depth of water but also to a very dangerous current.

These lands were taxed first to build a levee, which levee was constructed to aid navigation principally and agriculture indirectly, the Government putting up \$2 to aid navigation, the property owners putting up \$1 to aid agriculture. In addition, the property owners have put up a very heavy drainage tax in order to help the levee, which levee was intended to assist the economic conditions of the vicinity served by the levee.

Desha County has approximately 480 sections of land lying in what has heretofore been known as the protected area—that is, on the land side of the controlled levee. This 480 sections of land have approximately 310,000 acres, which 310,000 acres is bonded for more than \$30 per acre, when all the bonded indebtedness has been taken into consideration and the accumulated interest necessary to redeem these bonds. When the spillway shall have been completed Desha County will then have 75 sections of land protected, which area will have approximately 48,000 acres. This 48,000 acres will be compelled to produce the economic wealth of the entire county. I take it that the situation will be equally as bad, or worse, in Chicot County.

Here we find a situation that will be required to surrender in one county over 250,000 acres of land that has cost the landowners in excess of \$30 per acre, not counting the special levee and drainage taxes. The property holders owned this property for what it would produce as well as the special value that might flow from it. If this plan is carried out, the Government will willfully destroy a levee system that it held out through its engineers and acts to the property owner at the time he was bonding his lands as a standard levee.

The property owners built a drainage project that was laid out by the Department of Agriculture in the year 1912, at which time the report said that the Cypress Creek drainage district in Desha and Chicot Counties was the most comprehensive of its kind in the United States.

By an act of Congress this levee district has been destroyed. This drainage district likewise has been destroyed. I do not mean it has been destroyed so far as actually turning the water in on it, but it has been destroyed or depreciated by reason of engineers, workmen, experts, and various other people in the employ of the Government having resided in these counties for

the past two years, and by their acts made preparation for the flood that they, in turn, say may never occur.

Prior to the time of laying out of this plan, the landowners in this section had some credit and could borrow money on their property and pay their taxes on these lands. Now you can not borrow on the lands, because of the fact that they are placed in this spillway.

The various individuals owning lands in this section have not been able to pay these special improvement taxes, and the property owner can not improve his lands that are wild, nor can he make permanent improvement on the lands that were cleared before the spillway act. Therefore it will be seen that there has been an actual taking of the physical property if this plan is carried out.

The forfeitures that are working against the property owners are repeatedly taking away from him his chances of owning this property very long. The threat of the spillway has destroyed all possible barter and sale, and these lands can not be mortgaged or hypothecated for anything.

In other words, the United States Government, by the threat of taking these lands without compensation has put the property owner in such shape that in a very short time the statute of limitations, where the property has forfeited to the State, or various local improvements, will take away the property owner's chance of recovering anything for his lands.

The only reason these lands will not bring the taxes is because they are being taken away by the Government for the purpose of constructing this spillway.

In justice to these people, Congress should immediately plan to take over these levee and drainage bonds and make just compensation for damages to this property. These improvement taxes were put on the lands for the purpose of helping the Army Engineers bring the levee up to a standard.

I quote from Senate bill No. 3740, of the Seventieth Congress, known as the Jones bill, and section 4, which is as follows:

The United States shall provide flowage rights for additional destructive flood waters that will pass by reason of diversions from the main channel of the Mississippi River: *Provided*, That in all cases where the execution of the flood-control plan herein adopted results in benefits to property, such benefits shall be taken into consideration by way of reducing the amount of compensation to be paid.

The Secretary of War may cause proceedings to be instituted for the acquirement by condemnation of any lands, easements, or rights of way, which, in the opinion of the Secretary of War and the Chief of Engineers, are needed in carrying out this project, the proceedings to be instituted in the United States district court for the district in which the land, easement, or right of way is located. In all such proceedings the court, for the purpose of ascertaining the value of the property and assessing the compensation to be paid, shall appoint three commissioners, whose award, when confirmed by the court, shall be final. When the owner of any land, easement, or right of way shall fix a price for the same, which, in the opinion of the Secretary of War is reasonable, he may purchase the same at such price; and the Secretary of War is also authorized to accept donations of lands, easements, and rights of way required for this project. The provisions of sections 5 and 6 of the river and harbor act of July 18, 1918, are hereby made applicable to the acquisition of lands, easements, or rights of way needed for works of flood control: *Provided*, That any land acquired under the provisions of this section shall be turned over without cost to the ownership of States or local interests.

The reading of this section above indicates that it would be the intention of the Government to condemn the lands affected by this overflow of water and pay just compensation for the damage done.

The landowners in this section who have made inquiry are informed that they are not now to receive compensation for the damages done to their lands, by reason of them being placed back of the fuse-plug levee and in the spillway which might be overflowed at any time.

If this is to be the policy, it certainly is manifestly unjust, and we do not believe that Congress can permit a thing of that kind to be done.

No one questions the right of the Government to condemn property for public use when public use requires it.

This section recites that the Secretary of War may cause proceedings to be instituted for the acquirement by condemnation of any lands, easements, or rights of way which, in the opinion of the Secretary of War and the Chief Engineer, is needed in carrying out the project. The said proceedings would be instituted in the United States district court for the district in which the land, easement, or right of way is located. In all such proceedings the court for the purpose of ascertaining the value of the property and ascertaining the compensation to be paid, shall appoint three commissioners whose report, when adopted by the court, shall be final.

This manner of determining the value of the property to be taken seems to me to be manifestly unjust to the property owner. As I see it, the rights of property are higher and greater than constitutional sanction and property should never be taken, damaged, or destroyed without just compensation. It is nothing but fair that a right of trial by jury as to the value of lands taken by condemnation should be always allowed to the property owner, and an appeal should be allowed on that if the property owner feels that he has not been properly compensated for his property.

I introduced a bill at this session of Congress and numbered 719, which is referred to the Committee on Irrigation and Reclamation, to provide for the making of loans to drainage or other levee districts which form a part of the flood-control system and for the purpose of aiding agriculture which ought to be passed by this Congress at the earliest possible moment for the relief of the people not only in my State but in many other States that have been placed under like conditions.

The lands on the Mississippi River and its tributaries from Cairo, Ill., to where it empties into the Gulf of Mexico are the finest agricultural lands in the world and absolutely should be protected as they form the basis for our great agricultural wealth.

The levees built in my section were built for the purpose of helping to control the waters of the Mississippi and to aid in commerce and improve the lands for agriculture. I think that the Government could well afford to take over these levee bonds that have been levied against the lands that form this flood-control system and thus put the property holder free to where he may improve these lands and bring them back into use. If they could not be relieved wholly of their burden, it ought to be stretched out for a long period of time with a loan from the Government without interest, for a period of time so that the lands could be saved to the property owners, that will necessarily be lost to them unless some plan of this kind is adopted.

I have the utmost confidence in the President of the United States as a great engineer as well as a President, and I know that he personally investigated the conditions that prevail in the section I am speaking of around Arkansas City, McGehee, and from there on down to Montrose, La., and I am sure that he will not adopt a plan knowing that will thus damage the lands in this section.

In the first place, if there is a necessity for having an outlet of the waters, as no one will deny, there is no reason or necessity in taking and damaging all the lands affected by the present plan outlined for a spillway over the richest lands in the world and destroying the best farming land in the State of Arkansas.

There have been other plans suggested of control that ought to be considered along with the present plan, and then have new plans proposed by competent engineers making such investigations as will be necessary to give the information in order to prevent the damaging and destroying of so much of the valuable lands affected in the spillway.

It is said by an engineer, Carroll Livingston Riker, that an outlet for the flood waters of the Mississippi River 3 miles wide, provided with a levee on each side for a minimum height of 40 feet and extending through the lowest part of the valley and in an almost straight line from Cairo to the Gulf, a distance of 530 miles, would safely conduct to the Gulf twice the water that has ever passed through the Mississippi River or through its alluvial valley. If this statement is true, and I have no reason to doubt it, would it not be better and far more practicable in this area that I have been speaking of, to confine it to a width of 3 miles, if necessary, until the spillway waters are carried into the Ouachita River and the Red River and by it to the Mississippi and thence into the Gulf of Mexico, than the turning of the waters as now proposed, over all that great section south of the fuse-plug levee and which has been called the spillway?

We hope that the President will adopt a plan of this kind or some similar plan that will not damage and destroy all of our valuable lands that are now contemplated to be damaged and destroyed in this spillway.

If the Mississippi River had three or four of the large bends that it makes straightened out so that it would have a quick and free flow into the Gulf, it is doubtful that it would ever overflow its banks.

Take the great curve between Rosedale, Miss., and Arkansas City, Ark., where the river makes a great bend and then comes back within a short distance of where the curve started, and then takes its course south, if a concrete spillway was made straight across, when the river got to a stage of a certain height, where it would not effect the commerce of the river and would permit it to flow across this straight channel into the river, and thus preventing the obstruction of the flow as it now

is and similar changes made in two other curves near Greenville, Miss., and north of Lake Chicot in Arkansas, the controlled levee now built for the control of the Mississippi would likely be ample to carry the waters of the Mississippi at all times.

This, I am informed, is opposed by the engineers for the reason it is claimed by them, that it would injure or destroy the commerce of the Mississippi. That could not be true, because it would not flow through these places provided except when it reached a high stage of the river, and these could be controlled by gates and used when necessary to prevent a flood of waters on the lands south of it.

If the Ouachita and Red Rivers are to take care of the waters that are to flow through a spillway contemplated it will be necessary to make some improvement on the Ouachita and Red Rivers and which could be done at a reasonable expense and thus aid materially in getting the waters that now come through the Ouachita and Red Rivers on and into the Gulf before the flood water from the Mississippi and its upper tributaries reached them.

The Ouachita heads in a mountainous country and its flow could be quickly carried into the Red River and from there to the Mississippi and on into the Gulf if proper attention was given to it. If this river is to receive waters of the spillway, the Ouachita should be cleared of all obstacles that now obstruct it along its banks, by timber and brush and by the formation of islands in said river covered with timber between Rammel Dam and where said stream empties into the Red River.

We hope that President Hoover will not adopt the plan suggested by Mr. Jadwin for this territory, but will devise a comprehensive plan of taking care of the waters in this section and recommend it to Congress for its approval.

I have just received the following letter from Judge James M. Smith, county judge of Desha County, Ark., that was written on the 7th day of June and which shows the distressed condition there now, and which reads as follows:

McGehee, Ark., June 7, 1929.

Hon. D. D. GLOVER, M. C.,
Washington, D. C.

DEAR MR. GLOVER: Several weeks before you went to Washington I called your attention to the Tyson agricultural bill, same being Senate bill No. 1142, which, if passed, would reappropriate something like \$60,000 for flood agricultural extension funds, in which Arkansas would share.

In writing you several weeks ago I gave you some idea as how this county has suffered on account of the high water this year, but in order to get the information to you again I am going to briefly rehearse conditions here. For several weeks something like 130,000 acres have been under flood waters, of which amount something like 14,000 acres of land had been planted to crops, which have been ruined; 5,000 acres of land have been ruined by seep water and 4,000 people have been homeless. You can therefore see that a considerable part of our county is in distress.

In addition to the above, a great many people have been thrown out of work on account of high-water scare and have been unable to pay their taxes. This has caused an unusually large delinquent list of lands in this county this year. Our revenues are short for the further reason that a great many people have recovered from the 1927 flood only in a small manner. We had hoped to continue the agricultural extension work on our resources after July 1 of this year, but in the face of such adverse conditions it seems hardly possible.

Thanking you for your attention to this matter and with best personal wishes, I am,

Yours very truly,

JAMES M. SMITH,
County Judge.

Mr. Speaker, I had hoped that before this Congress took its recess that we should pass a bill giving relief to these people who are in such great distress and who are as worthy as any people anywhere. I hope that in the near future that the situation we are now in as to flood control may be clarified, and that justice may be done to all who are concerned.

Mr. Speaker, in addition to the letter I have just read from Judge Smith I have another from Mr. E. E. Hobson, a very worthy and capable gentleman who lives at Arkansas City, and who describes the conditions there and draws a darker picture of conditions than is described in the letter I have just read. Congress should give immediate consideration to this condition. [Applause.]

ORDER OF BUSINESS

Mr. HOWARD. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution which I send to the desk.

THE SPEAKER. The Chair can not recognize the gentleman for that purpose.

Mr. HOWARD. Mr. Speaker, I very much fear that I cruelly misunderstood the Speaker. I asked him this morning for permission and told him in view of the general demand for the legislation—

The SPEAKER. The Chair understood the gentleman from Nebraska desired to enlighten the House as to the merits of the resolution, to which he himself would be very glad to listen, but should not agree and would not agree with any gentleman in advance to recognize him for the purpose of passing legislation.

Mr. HOWARD. I think I owe it to the Speaker to say that I understood him to say, inasmuch as this seemed to be a general field day for unanimous-consent legislation, that I could have unanimous consent to call up this resolution. That is what I understood the Speaker to say; but, of course, I did not understand him rightly.

The SPEAKER. The Chair regrets that there should have been any misunderstanding.

ADDRESS BY HON. WILLIAM TYLER PAGE

Mr. MANLOVE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by placing therein the address delivered over the radio on the night of May 29, 1929, by Hon. William Tyler Page, the illustrious Clerk of the House of Representatives, on the anniversary of the birth of that fearless patriot, Patrick Henry.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection?

There was no objection.

Mr. MANLOVE. I can think of no student of American history more fitted to sketch the life of this illustrious American patriot than the distinguished author of *The American Creed*, the Hon. William Tyler Page, and I therefore consider it not only a privilege but a pleasure to present the same.

The address is as follows:

PACKET HENRY, EMINENT AMERICAN STATESMAN

Like so many of the early rugged Americans who helped to mold the Republic, Patrick Henry was born in Virginia, the second son in a family of nine children. His paternal ancestry was Scotch. The education of the youth was obtained at a little school near his home, and after the age of 10 from his father, who conducted a grammar school at his residence. Patrick's proficiency in his studies, however, with the possible exception of mathematics, was eclipsed by his love for outdoor sports and activities. A clerkship in a country store at 15, an unsuccessful partnership as storekeeper with his elder brother at 16, and a second failure at storekeeping later, were rather dismal milestones in his early career. A love for the study of history, and especially that of Greece and Rome, had replaced his general youthful indifference to educational matters, and thenceforth he read his *Livy* clear through once each year.

Patrick Henry was admitted to the bar at 24, but it is not recorded that his financial emoluments at first resulting therefrom were marked. His first legal victory was as counsel for the collector of the county, at 27 years of age, in what became known as "the parson's cause." Following his rather remarkable and unexpected display of eloquence on behalf of the people, he was accorded the title of "the orator of nature," and given distinct recognition for his oratorical attainments. His legal success thereafter was assured.

In 1765 came Patrick Henry's election to the House of Burgesses. Here he distinguished himself as the author of certain vigorous resolutions opposing the series of unpopular stamp acts. The keynote for the struggle for independence was predicated upon the last act of this character that was passed by a majority of but one. It provided that "The general assembly of this colony has the sole right and power to lay taxes and impositions upon the inhabitants of this colony." Patrick Henry's fiery resolution of denunciation of this iniquitous proposal had much weight in determining the final issue of the Revolutionary War.

In 1774, following other intervening honors which the limitations of time and space prevent our mentioning, he was selected as a delegate to the Virginia convention, which was the first public assembly to recommend an annual General Congress. He was also a delegate to the old Continental Congress. In 1775, in a remarkable address before the Virginia convention he moved that "the colony be immediately put in a state of defense," and at the head of a body of militia he required the officials of the Crown to pay £330 for powder that had been secretly removed by order of the royal Governor Dunmore.

This act of Lord Dunmore aroused the colony to a high pitch of resentment, which was temporarily allayed by a few leading loyalist pacifists. But Patrick Henry said, "We must fight." He demanded the return of the gunpowder or its equivalent value in cash. With about 150 well-armed and equipped troops he advanced as far as Doncaster. At this point he was met by my great-great-grandfather, Carter Braxton, afterwards a signer of the Declaration of Independence, who interposed his influence in warding off the impending blow. My forbear, Braxton, was the son-in-law of Col. Richard Corbin, the King's receiver general. Braxton persuaded Corbin to settle for the gun-

powder to avoid bloodshed, and Colonel Corbin gave Braxton a bill on Philadelphia for the value of the gunpowder. Braxton then paid this over to Patrick Henry, taking his receipt. Henry, being satisfied, returned with his company to Hanover, where they were temporarily disbanded. But for this transaction possibly Williamsburg, instead of Lexington, would have marked the place where the first shot of the Revolution was fired. When the Revolution actually came Colonel Corbin renounced allegiance to the Crown and was numbered among the American patriots.

Patrick Henry was appointed colonel of the first regiment and commander of all the forces to be raised in Virginia, but after a misunderstanding he submitted his resignation. He was also a member of the Second Continental Congress of 1775 and of the Virginia convention of 1776, which had been elected "to take care of the republic," the royal governor having precipitately left the scene. After framing a new constitution, Patrick Henry was elected by this convention on the first ballot as the first (then) republican governor, being reelected in 1777 and 1778, and again in 1784, after an interim in the legislature.

After a successful period in the practice of law, as a result of which he paid all of his debts and acquired a certain amount of financial affluence, he withdrew to private life. In 1795 he declined the offer of President Washington to head his Cabinet as Secretary of State, and the following year declined the nomination for Governor of Virginia. In 1797, also, he refused to be a member of the mission to France, which position had been offered by President John Adams. In 1799 he was elected to the State legislature, but never took his seat, his death having occurred on the 6th of June.

Admittedly wrong in his vigorous opposition to the proposed Federal Constitution, Patrick Henry may yet be ranked a great statesman. It was, however, as a patriot espousing, with his great gift of oratory, the cause of American liberty, that he wielded his most important influence on the history of his beloved land.

It is unfortunate that the art of shorthand reporting had not been perfected at the time when Patrick Henry delivered many of his brilliant orations. We are indebted to John Adams, a delegate to the First Continental Congress from Massachusetts, for a few notes which constitute the only record of the great speech of Patrick Henry's in opening the deliberations of this historic Congress at Philadelphia on September 4, 1774, which address won for Patrick Henry the reputation of being the foremost orator on the Continent. It was then that he gave utterance to those words that revealed him as an American and not merely a colonist. "The distinctions," he proclaimed, "between Virginians, Pennsylvanians, New Yorkers, and New Englanders are no more. I am not a Virginian, but an American."

We will have time for but certain excerpts from Patrick Henry's great address delivered in 1775 to the convention of delegates, by which he is best known, as follows:

"I have but one lamp by which my feet are guided; and that is the lamp of experience. I know of no way of judging of the future but by the past. And judging by the past, I wish to know what there has been in the conduct of the British ministry for the last 10 years to justify those hopes with which gentlemen have been pleased to solace themselves and the House? Is it that insidious smile with which our petition has been lately received? Trust it not, sir; it will prove a snare to your feet. Suffer not yourselves to be betrayed with a kiss. Ask yourselves how this gracious reception of our petition comports with these warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled that force must be called in to back our love? Let us not deceive ourselves, sir.

"These are the implements of war and subjugation; the last arguments to which kings resort. I ask, gentlemen, sir, what means this martial array, if its purpose be not to force us to submission? Can gentlemen assign any other possible motives for it? Has Great Britain any enemy in this quarter of the world to call for all this accumulation of navies and armies? No, sir; she has none. They are meant for us; they can be meant for no other. They are sent over to bind and rivet upon us those chains which the British ministry have been so long forging. And what have we to oppose to them? Shall we try argument? Sir, we have been trying that for the last 10 years. Have we anything new to offer on the subject? Nothing. We have held the subject up in every light of which it is capable; but it has been all in vain. Shall we resort to entreaty and humble supplication? What terms shall we find which have not been already exhausted? Let us not, I beseech you, sir, deceive ourselves longer. Sir, we have done everything that could be done to avert the storm which is now coming on. We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves before the throne and have implored its interposition to arrest the tyrannical hands of the ministry and Parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been disregarded; and we have been spurned, with contempt, from the foot of the throne. In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope. If we wish to be free—if we mean to preserve inviolate those inestimable privileges for which we have been

so long contending—if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon until the glorious object of our contest shall be obtained, we must fight! I repeat it, sir, we must fight! An appeal to arms and to the God of Hosts is all that is left us!

"They tell us, sir, that we are weak; unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next week or the next year? Will it be when we are totally disarmed and when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance by lying supinely on our backs and hugging the delusive phantom of hope until our enemies shall have bound us hand and foot? Sir, we are not weak if we make a proper use of the means which the God of nature hath placed in our power. Three millions of people armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat but in submission and slavery! Our chains are forged. Their clanking may be heard on the plains of Boston. The war is inevitable—and let it come. I repeat it, sir, let it come!

"It is in vain, sir, to extenuate the matter. Gentlemen may cry peace, peace—but there is no peace. The war is actually begun. The next gale that sweeps from the north will bring to our ears the clash of resounding arms! Our brethren are already in the field. Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, give me liberty or give me death!"

If the shot fired at Lexington was heard around the world, it was but the repercussion of the voice of Patrick Henry crying for liberty, a voice whose ominous and prophetic tones made tyranny tremble on its throne.

What John the Baptist was to the Messiah whose coming was to unloose the shackles of a sin-bound world Patrick Henry was to the cause of civil liberty and American independence.

ORDER OF BUSINESS

Mr. GARNER. Mr. Speaker, if I may be indulged a moment, I wish to ask the Speaker a question. In view of the statement of the gentleman from Nebraska [Mr. HOWARD] and the Speaker's reply, may the House understand that when the Speaker permits one to submit a unanimous-consent request for legislation he indorses the legislation and is willing that Congress shall give its consent to it?

The SPEAKER. The Chair would not go as far as that. The Chair occasionally recognizes a gentleman to bring up a matter of legislation which the Chair does not himself fully approve.

Mr. GARNER. In view of that statement the gentleman from Nebraska was under the impression that the Speaker would recognize him to submit a request for unanimous consent for the consideration of certain legislation, and it was my thought in view of that statement that the Speaker ought to recognize him for that purpose. But if the Speaker's position is that he will not recognize anyone to take up any legislation which the Speaker does not agree to, of course the Speaker is quite consistent.

The SPEAKER. Is the gentleman from Texas in favor of the legislation referred to?

Mr. GARNER. I am not; but if I were Speaker of the House, with all due respect to the present occupant of the chair, I would adopt either one of two policies. I would either take the responsibility of not submitting a unanimous-consent request for the consideration of legislation which I did not approve or I would leave the field entirely open and not discriminate against anyone.

The SPEAKER. The Chair will be glad, if he is a Member of the House when the gentleman from Texas is Speaker, to see which of those two alternatives the gentleman from Texas follows.

Mr. CHINDBLOM. And with all our affection for the gentleman from Texas we hope that that situation will not arise very soon.

Mr. HOWARD. Mr. Speaker, in view of the statement of the gentleman from Texas, having called up the matter, lest the Speaker be misunderstood by those here or elsewhere, I ask that the Speaker inform himself, if he is not already so informed, with reference to the subject of the resolution which I tried to have considered.

The SPEAKER. The Chair thinks he understands the purport of the resolution.

DEPARTMENT OF COMMERCE BUILDING—LAYING OF THE CORNER STONE

Mr. SUMMERS of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by including the address and other matters in connection with the laying of the cornerstone of the Commerce Department Building in Washington on yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SUMMERS of Washington. Mr. Speaker, the laying of the corner stone of the Department of Commerce Building at 4 o'clock on June 10, 1929, was a memorable occasion that I shall never forget.

The events of that hour are significant and should be perpetuated in our recorded annals that future generations may read.

THE NEW BUILDING

The new building for the United States Department of Commerce is planned to be one of the great office buildings of the world. It will occupy three complete city squares. Its length, 1,050 feet, exceeds that of the United States Capitol by 300 feet, though its breadth, 325 feet, is 25 feet less. It is also longer than the British Houses of Parliament by 110 feet, though not as wide. The land area occupied is about 345,000 square feet, nearly 8 acres. The building will rise seven stories above ground. Construction underground will include a complete basement for general use, with a subbasement for the heating and power plant.

The setting for the building is one of natural beauty. With its southwest corner at Fifteenth and B Streets NW., it looks southward over the grounds of the Washington Monument and westward over the park lying south of the White House. The view northward will be over E Street and a triangular park toward Pennsylvania Avenue.

The building faces the east, where it will look out upon the central plaza inclosed by the other Government buildings included in the special development of this area. The Commerce Building is placed at the base of the triangle formed by the intersection of Pennsylvania Avenue and B Street, running from Sixth Street to Fifteenth Street. The Commerce plot runs from Fifteenth Street to Fourteenth Street and covers the area from B Street to E Street.

The structure itself will be of monumental type, but is characterized by great simplicity of treatment. Almost the only ornamentation is the central group of 24 columns on the east façade, and 4 porticos with 4 columns each on the west. Both north and south ends are relieved by a portico and a group of 14 columns. Triple arched gateways two stories high give direct access through the building to the interior courts where C Street and D Street originally ran, but above the gates the structural mass is carried solidly, making the edifice outwardly an unbroken unit.

The Commerce Building is, in effect, three complete rectangular buildings in one, the central cell being longer than those on either wing. This larger rectangle has an interior wing running east and west the full height of the structure, dividing the area into two courts. A single large court is maintained above the first floor in each of the rectangles forming the end structures, a provision of space for expansion in the future.

The net floor area provided within the entire building is 1,092,800 square feet, sufficient to accommodate all the branches of the department, except the Bureau of Standards, which has its own plant in the suburban district of Washington.

Departmental organizations have been grouped within the building with as much attention to efficient arrangement as available space and special individual needs will permit. In the middle group are the general executive and administrative functions, as represented by the office of the Secretary, the Assistant Secretaries, the solicitor, and the chief clerk's forces. On the top floor is specially designed skylighted space for the library. In the basement a large cafeteria with the necessary kitchens is provided. A large conference room opposite the main entrance is capable of seating a thousand persons, while smaller conference rooms have also been provided in the same vicinity. Such general services as telephone switchboards, telegraph room, mail room, multigraph, and mimeograph room are likewise allocated to this section. In the basement are provisions for the various mechanical shops, garage, and file storage.

The more compact bureaus and services of the department are also assigned to the central part of the building. These include the aeronautics branch, the radio division, and the Bureaus of Foreign and Domestic Commerce, Lighthouses, Mines, Fisheries, Navigation, and Steamboat Inspection.

The south rectangle of the building is assigned to the Coast and Geodetic Survey and the Census Bureau. Basement, first and second floors have been specially designed to meet the needs of the engineers, technicians, and the mechanical plant of the Survey. Upper floors have been designed for the Bureau of the Census, where their statistical services will have ready access to the centrally located bureaus by corridors linking the south and central wings. A mechanical laboratory for construction of statistical machinery is given the Census Bureau in the basement.

The north rectangle is assigned exclusively to the Patent Office. This structure from top to bottom is built to fit the special needs of this service as developed by a close study of its technical, legal, administrative, and public serving functions. It has many special features. One of the most attractive to the public will be the grouping of all public-serving units on the ground floor. These units, such as copy sales, cashier, mail, application, assignment, manuscript, and photostat are also grouped with direct relation to the flow of work between them. The most impressive interior will be the spacious, high-ceilinged public search room, record room, and library, grouped on the first floor at the northwest corner. Executive and judicial activities are grouped on the third floor, with special provision for hearing chambers, anterooms, and executive groups.

The examining corps is assigned to the four upper floors. It is planned to have semi-private space for each examiner, through cubicles of clear glass and steel with ample space on the open side for a private corridor and his group of patent files. A standard arrangement has been worked out to meet the needs of the normal examining division, consideration being given to factors of convenience, supervision, light, privacy, quietness, and future expansion.

In the basement of the Patent Office rectangle, which is carried throughout the entire building and the courtyard, special steel stacks of two to four stories height are provided to care for the steadily accumulating official records, books, and the salable printed copies of the American patents.

Four banks of elevators serve the Patent Office wing, while the central wing has 10 banks, and the south wing 4, each bank consisting of 2 passenger elevators. Many of the banks face each other across corridors, thus centralizing the service. Additional provision is made for freight elevators, and special chutes and hoists where needed.

The principle laid down for interior construction is "As few structural partitions as possible. No partitions unless necessary. Where necessary, utilize clear glass and steel." This conserves floor space and light, simplifies supervision, provides flexibility for rearrangements, and reduces cost.

Special attention will also be given later to noise-deadening, mechanical conveyors and other improved equipment.

The order of exercises was as follows:

Music	United States Marine Band
Invocation	Right Rev. James E. Freeman, D. D., LL. D. The Bishop of Washington
Introductory remarks	Hon. Robert P. Lamont Secretary of Commerce
Address	Hon. Reed Smoot United States Senator Chairman Public Buildings Commission
Address	Hon. Richard N. Elliott Chairman Public Buildings and Grounds Committee House of Representatives
Address	Hon. George B. Cortelyou Former Secretary of Commerce and Labor
Music	United States Marine Band
Address	The President of the United States
Placing of the stone by the President of the United States.	
Benediction	Right Rev. John M. McNamara, D. D. The Auxiliary Bishop of Baltimore
The National Anthem	United States Marine Band

TROWEL AND GAVEL

The trowel used in this ceremony is loaned by courtesy of Alexandria-Washington Lodge, No. 22, A. F. and A. M., of Virginia; the gavel is loaned by courtesy of Potomac Lodge, No. 5, F. A. A. M., of Washington, D. C., and are those used by President Washington in laying the corner stone of the United States Capitol on September 18, 1793.

THE BUILDING

The building for the Department of Commerce, situated at the base of the so-called Pennsylvania Avenue triangle group, was authorized in acts approved May 25, 1926, and March 5, 1928, with a limit of cost of \$17,500,000.

The structure will be 1,050 feet in length, 325 feet in width, and 7 stories high. It will extend from B street to E Street, and from Fourteenth Street to Fifteenth Street, occupying nearly 8 acres. The net floor area will be 1,092,800 square feet, sufficient to accommodate all the branches of the department except the Bureau of Standards, which is housed in specially constructed buildings in the suburban district of Washington.

The first contract for the excavation was awarded November 9, 1927; the contract for foundation work was awarded October 5, 1928; and the contract for the superstructure was awarded April 2, 1929. It is expected that the building will be completed in the early spring of 1932.

The design of the Department of Commerce is based on the classic, but in detail and general freedom of design perhaps resembles more the buildings done by San Macheli during the Italian Renaissance. The Doric Order is used in part for porticos resting on a massive base of the lower two stories of the building, which are heavily rusticated. The long colonnade facing Fourteenth Street is surmounted by a high attic with a large inscription and crowned by a carved cheneau.

OFFICIAL DUTIES

Although the Department of Commerce is, to some extent, an administrative agency, its more important functions are promotional. Through five of its bureaus it administers laws designed to aid marine navigation, but seven other bureaus are engaged almost entirely in activities concerned with the promotion of the Nation's industry and trade.

In its purely administrative capacity the department maintains the coast lights, charts the coastal waters, registers and inspects vessels of the merchant marine and aircraft engaged in commercial occupations, enforces the navigation laws, provides aids to navigation on commercial airways, and inspects radio communication and broadcasting stations. As a service agency it helps industry to simplify processes, to increase output, to eliminate waste in production and distribution, and to reduce unemployment; it carries on investigations and research to facilitate the production, transportation, and sale of the vast quantities of goods produced by the industries; it assists the mining industry to eliminate waste and safeguard lives; it conserves the fisheries; through the grant of patents it encourages invention by protecting inventors in the exclusive right to their discoveries; it supplies trade information to American producers and exporters and aids them in developing markets for their goods abroad; it enumerates the population and compiles statistics showing the condition and progress of the Nation's industries; it assists in the promotion and development of the country's rapidly growing air-transportation system. All these activities come within the scope of the organic act of 1903, which created the department and required it to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, and the transportation facilities of the United States.

ORIGIN

By an act approved February 14, 1903, Congress established a Department of Commerce and Labor. The act of March 4, 1913, changed the designation of the Department of Commerce and Labor to Department of Commerce, and established a Department of Labor. Until the Department of Commerce (and Labor) was organized in 1903, the Treasury Department was the principal agency of the Government through which supervision of the commercial and industrial life of the Nation was administered. The record of events from the close of the Revolution to the Constitutional Convention at Philadelphia in 1787 shows that the desire to foster the commerce and trade of the States was the paramount and controlling argument which made the Union possible. The documentary history of the Constitution discloses that the designation "Secretary of Commerce and Finance" was considered for the department which was finally called the Department of the Treasury.

Aeronautics branch: The air commerce act, approved May 20, 1926, provided for the promotion and regulation of civil aeronautics by the Department of Commerce.

Radio division: The first Federal statute dealing with radio became effective in 1911 and simply required apparatus and operators on ocean steamers. By the passage of the radio act of 1927 the radio service was set up as a separate division.

Bureau of Foreign and Domestic Commerce: This bureau was created by an act approved August 23, 1912, which consolidated under that name the Bureau of Manufactures and the Bureau of Statistics. The Bureau of Manufactures was established under the organic act of February 14, 1903, whereas the Bureau of Statistics had its inception in an act of Congress approved February 10, 1820. The Bureau of Statistics was established as a separate unit in the Treasury Department by

an act approved July 28, 1866, and transferred to the Department of Commerce July 1, 1903.

Bureau of the Census: The first enumeration of population after the establishment of our present form of government was made under the act of March 1, 1790. The Secretary of State had general supervision, beginning with the census of 1800 and until the Interior Department was established in 1849, where it remained until transferred to the Department of Commerce July 1, 1903.

Bureau of Standards: By Senate resolution of May 29, 1830, the Secretary of the Treasury was directed to have examination made of the weights and measures in use at the principal customhouse. On July 1, 1901, Congress established the National Bureau of Standards as an independent bureau of the Treasury Department. The bureau was transferred to the Department of Commerce on July 1, 1903.

Bureau of Fisheries: By a joint resolution approved February 9, 1871, Congress provided for the appointment of a Commissioner of Fish and Fisheries, and the establishment functioned directly under Congress until July 1, 1903, when it became a bureau of the Department of Commerce.

Bureau of Lighthouses: By an act of August 7, 1789, Congress authorized the maintenance of lighthouses and other aids to navigation. The work was placed under the Treasury Department, where it continued until July 1, 1903, when it was transferred to the Department of Commerce. In 1852 Congress created the Lighthouse Board, which supervised the service until July 1, 1910, when the Bureau of Lighthouses was established.

Coast and Geodetic Survey: This bureau was organized by an act of Congress of February 10, 1807. With the exception of two years under the Navy Department the bureau was under the Treasury Department until July 1, 1903, when it was transferred to the Department of Commerce.

Steamboat Inspection Service: An act of Congress of July 7, 1838, was the first Federal legislation to safeguard the lives of passengers on steam vessels. The Steamboat Inspection Service was established by an act of Congress of August 31, 1852, as a branch of the Treasury Department. It was transferred to the Department of Commerce on July 1, 1903.

Bureau of Navigation: The third act of the First Congress, passed July 20, 1789, provided for duties on tonnage of vessels. Additional provisions were enacted from time to time until an act of July 5, 1884, which established the bureau. The administration of the laws continued under the Treasury Department until the establishment of the Department of Commerce in 1903.

Patent Office: The first patent act was approved April 10, 1790, and the Department of State exercised supervision over the service until 1849, when it was transferred to the newly created Department of the Interior. On April 1, 1925, the office was transferred to the Department of Commerce.

Bureau of Mines: In 1904 Congress provided for testing of coal and lignites, and in 1908 it authorized the United States Geological Survey to investigate mine explosions. The Bureau of Mines was established in the Department of the Interior by an act approved May 16, 1910. On July 1, 1925, it was transferred to the Department of Commerce.

THE DEPARTMENT OF COMMERCE

The organization of the department as of June 10, 1929, follows:

Secretary of Commerce, Robert P. Lamont.
 Assistant Secretary of Commerce, Julius Klein.
 Assistant secretary for aeronautics, William P. MacCracken.
 Solicitor, Ephraim F. Morgan.
 Administrative assistant to the Secretary, Malcolm Kerlin.
 Chief clerk, Edward W. Libbey.
 Director, aeronautics branch, Clarence M. Young.
 Chief, radio division, William D. Terrell.
 Acting director, Bureau of Foreign and Domestic Commerce, Oliver P. Hopkins.
 Director, Bureau of the Census, William M. Steuart.
 Director, Bureau of Standards, George K. Burgess.
 Commissioner of Fisheries, Henry O'Malley.
 Commissioner of Lighthouses, George R. Putnam.
 Director, Coast and Geodetic Survey, Raymond S. Patton.
 Supervising Inspector General, Steamboat Inspection Service, Dickerson N. Hoover.
 Commissioner of Navigation, Arthur J. Tyrer.
 Commissioner of Patents, Thomas E. Robertson.
 Director, Bureau of Mines, Scott Turner.

ADDRESSES

I shall now append the distinguished and enlightening addresses in the order in which they were delivered:

ADDRESS BY HON. ROBERT PATTERSON LAMONT, THE SECRETARY OF COMMERCE, AT THE LAYING OF THE CORNER STONE OF THE DEPARTMENT OF COMMERCE BUILDING

We are met here to-day to do more than lay the corner stone of a great building. We must mark the significance of the occasion. We are not only to celebrate the erection in the Capital City of the Nation of a splendid building dedicated to commerce; nor merely to remark its imposing dimensions, its dignity of architectural style, its beauty of line and mass and classic detail; nor are we just to remind ourselves that this building which will rise here will be distinguished even in this day of bigness and in this city of beauty.

Situated as it is and constituting as it does the base of the marvelous triangle of Government buildings soon to be erected, the apex of which points toward the matchless Capitol, this huge structure will house the youngest but one of the governmental departments, a department that did not come into existence till 114 years after the formation of the Government. It is true some of the bureaus which it now administers have existed since early times, independently or under the jurisdiction of one or other of the earlier organized departments. But it is indeed remarkable that a separate department, devoted to the interests of the rapidly growing commerce and industry of the Nation, should not have been established earlier in our history.

Long before the adoption of the Constitution itself numerous inter-colonial and State conventions had been held to discuss matters of trade, and, in the words of Madison, "to consider how far a uniform system in their commercial regulations may be necessary to their common interest and permanent harmony." And during the period between the close of the Federal convention and the ratification of the Constitution Alexander Hamilton said: "The importance of the Union in a commercial light is one of those points about which there is least room to entertain a difference of opinion, and which has, in fact, commanded the most general assent of men who have any acquaintance with the subject. This applies as well to our intercourse with foreign countries as with each other." After the Constitution had been ratified by 11 States it was almost solely considerations of commercial interest that forced the remaining States to join the Union.

Notwithstanding this early appreciation of the importance of commerce in our national economy, and notwithstanding later messages of Presidents on the subject, much discussion in Congress, resolutions of political parties, petitions from commercial organizations and boards of trade, a whole century went by before crystallization of public opinion took definite form. Then, in December, 1901, Senator Nelson introduced a bill in Congress to establish a Department of Commerce. After the usual vicissitudes, delays, and amendments the bill was finally passed; it was signed by the President February 14, 1903, and a Secretary of Commerce and Labor became the ninth member of the President's Cabinet.

The more recent history of this department—the building up of the organization, the creation in 1913 of a separate department having to do particularly with labor, immigration, etc., the creation of the Bureau of Foreign and Domestic Commerce, the rapid development and growth of that bureau from 1921 to 1928—all these things are known to you and need not be dwelt on here. If they were not known to you, they could easily be recalled to memory by the testimony of living witnesses of the highest authority, for it is a particularly happy circumstance that we have three of the seven earlier Secretaries of Commerce here to-day. It must be a great satisfaction to them, as it is to us, to know that they have each had an important part in creating the heart and soul and spirit of the department—that without which this building itself would be useless! I mean, of course, the organization, the men and women who will occupy this building; for these men and women are the Department of Commerce!

It is interesting and significant in this connection to quote a few lines from the address of Secretary Cortelyou on the occasion of the raising of the Nation's flag for the first time over the temporary building that housed the new department. He said: "No other department has a wider field, if the just expectations of the framers of the legislation are realized. None will have closer relations with the people or greater opportunities for effective work. While we can not dedicate a new and imposing structure to the uses of the department we can at least—and I am sure we all do—dedicate ourselves to the work which Chief Executives have recommended and Congress, in its wisdom, has set apart to be done."

After so long a delay in its founding, why has the Department of Commerce so soon attained to such proportions as to be granted these splendid facilities for its work?

The answer is, that the times have recently changed in an astounding manner, and that the United States has changed with them. With breath-taking speed, a revolution in our national economy has taken place, which is here symbolized by the size and importance of this magnificent building.

By how much the times have changed since this department was organized, 26 years ago, a few typical facts bear witness. Our population has increased 50 per cent. Manufactures have increased more than 400 per cent. Electricity, as measured in kilowatt-hours,

has increased more than 3,000 per cent. Telephones from two and one-half millions to nineteen millions. In 1903 there was one automobile to every 2,500 persons; now there is one to every five. Our commerce is thus conducted on a vastly greater scale. It can no longer go forward in haphazard, guesswork fashion. To survive, business must be on an economically sound basis; it must proceed on knowledge of exact facts.

The situation of the United States, likewise, has changed in another direction. A debtor nation in 1914, our industry was mortgaged to European investors in the sum of about \$5,000,000,000. But to-day we are probably the foremost creditor nation of the world—if we include war-debt operations—its various regions indebted to us in public and private loans to the total of nearly \$20,000,000,000. From the subordinate position of a dependent debtor, we have leaped in a decade to preeminence as an independent industrial and commercial nation. This startling change has radically altered the relative importance of industry and commerce in our national life. Always strong partners of agriculture in the production of our national wealth, industry and commerce have shot forward recently to a truly imposing position in our economic scheme.

This changed situation is not regarded by our business men with thoughtless pride. We are not needlessly boastful at the conquest of new markets abroad. Rather our mood is one of sober responsibility; we feel that we are not merely possessed of an opportunity, but are charged with a duty so wisely to administer this trusteeship of wealth that we shall further enrich, not ourselves alone, but every race and country that is reached by the fertilizing and vivifying influence of our trade.

This building, then, is to be the new temple of a great American faith, the faith that as a business nation we hold in trust a high duty to serve the world as well as to get gain.

This building, furthermore, is to be a temple of truth, dedicated to enlarging the science as well as the practice of business.

Here is to be housed one of the great fact-finding institutions of the country. Here for the first time all the various bureaus and divisions of the department, with one exception, will be under one roof. Into this building will continue to pour facts and figures from every State and every foreign country to be analyzed, classified, combined, and compared, in short, made useful. Sources and markets for raw material are here to be investigated and reported, and new outlets found for manufactured goods.

Here will be housed an institution unique in the world, created and organized to help commerce and industry. From the beginning of history there has been close contact between business and government—but always for purposes of taxation and regulation. Here, however, is a department of the Government created to "foster, promote, and develop business."

Each bureau—Census, Survey, Fisheries, Lighthouses, Navigation, Standards, Steamboat Inspection, Foreign and Domestic Commerce, Aeronautics, Radio, Patents, Mines—will here contribute in its own way and in its particular field to advance American business.

As a people, we have reached a higher average level of living comfort than has ever before been attained in the history of the world. There is no reason why this level can not be maintained and gradually raised.

If through the activities of this organization, working in cooperation with American industry and commerce, continued progress can be made in simplification, standardization, elimination of wastes in manufacturing and selling, then costs and selling prices can be further reduced and markets widened. If our great quantity-production industries, which have been keyed up to vast outputs to supply the first-hand home markets, can find constantly expanding foreign outlets to take care of surpluses as home markets gradually shift to requisites for replacement, then present employment schedules and wages can be maintained. Then, at last, that magic combination discovered within the last decade, of high wages, low costs, and fair profits, can go on because we are only 6 per cent of the population of the world, because we occupy only 5 per cent of its habitable area, and because slowly but surely the living standards of other peoples will tend to rise to the level of our own, thereby steadily enlarging the markets for our products for generations to come.

Here, at length, we arrive at the true significance of this building. Its erection is momentous in its meaning because it is erected to serve the people. No activity of government is worth while, no discovery of science is of value, no advance in method of industry or transportation or commerce is of any real advantage, unless it ends in useful service to everyday men and women and children. We foster commerce that our people shall have a fuller opportunity, more comfortable homes, better education, and more leisure. It is to serve these ends that this building is being erected. It is to make these aspirations come to full fruit that the thousands of men and women who will labor here shall daily enter its doors. Congress, which has appropriated the funds for its construction, and the American people who provided those funds, here to-day dedicate to that service this great building.

AN ADDRESS BY THE HON. REED SMOOT AT THE LAYING OF THE CORNER STONE FOR THE DEPARTMENT OF COMMERCE BUILDING, WASHINGTON, D. C., JUNE 10, 1929

This is an occasion memorable in many ways. It affords keen gratification to the Government, particularly to the Committee on Public Buildings and Grounds. It is a source of civic pride to the National Capital. It means much, I believe, for the future of American business. And it brings a special joy—very deep and poignant, I am sure—to those who are concerned in the work of the Department of Commerce, for it represents the approaching realization of their hopes. It means an end of the physical dispersion of their activities in the city of Washington; it holds out the promise of concentrated effort and the opportunity of greatly heightened usefulness.

In the magnificent structure that is soon to rise upon this spot we shall see embodied those principles of unity, of harmony, of service, which stand as the ideals toward which, I feel, the department has steadily and earnestly aspired.

The department has a vital, significant relationship to American business and American productive activity of many sorts. It has shown, on many occasions, its eagerness to cooperate. It strives to understand the basic problems. Mutual helpfulness is its constant aim.

In such a policy, I believe, the department is adhering to the conceptions of our great President, who has stood steadfastly for the principle that the truest efficiency is to be obtained through the linking of private initiative with cooperative governmental effort.

To Herbert Hoover the Department of Commerce owes an incalculable debt of gratitude—for his organizing genius; his masterly administrative skill; his creative imagination and amazing energy; his crystal-clear comprehension of the department's needs and possibilities, in relation to our national life. The Department of Commerce, as it stands to-day, is in the fullest sense a monument to him—and, in its newer incarnation on this spot, it will continue to be so, increasingly.

Commerce is assuredly one of the mightiest of all the civilizing, humanizing agencies. Its rewards provide extraordinary incentives for labor and for the application of mental energy. Repeatedly, throughout the course of history, it has brought about the broadening of frontiers, the penetration of new regions. Its developing demands have led man to utilize more fully, and to disseminate among his fellows, the resources of the earth. Commerce provides for every one of us indispensable comforts, enhances every phase of material well-being, and enriches immeasurably all our common life.

And, too, upon an even higher plane, commerce serves as an activating stimulus to friendly relations among peoples. Commerce to-day implies swift interchange, and not of goods alone but of methods and ideas as well. A lessening of friction, racial and international, can and should be one of the greatest benefits of trade. One of the founders of our Republic wisely linked together in a phrase the words "Peace, commerce, honest friendship."

I feel very deeply that modern business is moving definitely away from an exclusive preoccupation with selfish profit. Profit, to be sure, is utterly essential if our commercial structure is to remain sound, and it is profit which supplies the most compelling impetus to enterprise. But we have learned in recent years, I think, how inadvisable it is to direct our entire attention to that phase.

Business has been developing a vastly broader outlook—an acute awareness of the common good, a keen and ardent willingness to serve it. In our commercial community we see, on every hand, a generous "public-mindedness."

American commerce and industry—in their process of evolution, of rational organization—are evincing a sense of symmetry comparable to that which we shall see in this majestic new building. There is a closer, more careful adjustment of means to end. The expenditure of energy is more judiciously planned. We are moving rapidly away from things shabby and shambling—from all commercial methods that proved awkward and inept. The manifold parts of our economic edifice are being consciously coordinated—interrelated—made more shapely.

Business men are coming to be dominated more and more by conceptions not only of order but of beauty. In the fashioning of merchandise—the articles with which our commerce deals—beauty has become a potent and profitable force. Shop windows gleam with new colors and textures, with bold and fascinating adventures in design. Canons of good taste are altering, for the better, the commodities of trade. We are realizing more than we ever did in the past the imperative need for simplicity, dignity, fitness, and comeliness in the planning of our cities—the appearance of our homes—in fact, the whole structure and fabric of our environment. This building of which we are laying the cornerstone to-day will stand, I believe, as a consummate expression of that admirable impulse.

And we take delight in the knowledge that this building is to be but one of many here in Washington—all as impressive and appropriate as this—all serving as a concrete, tangible embodiment of the greatness of our Nation.

The Department of Commerce—if I rightly understand its spirit—rejoices in its opportunities to share, however modestly, in the progress

sive commercial tendencies and economic movements to which I have adverted so hastily to-day. The department touches contemporary life at many points. It promotes American trade in countless foreign markets, and endeavors to heighten its efficiency at home. It provides help for merchant shipping and strives to insure the safety of passengers and crews. It endeavors to further the advance of aviation. It fosters the fisheries. It is concerned with the problems of safety in our mines, and the protection and stimulation of the mineral industries.

In innumerable ways the department aids American industry through scientific investigation, patient and exhaustive research, and the consequent establishment of standards. It works for improvement in building and housing. It affords incentive and security for inventive genius through the operation of the patent system. It gathers all manner of statistics calculated to serve as guideposts for assured advancement in our national economy.

As we lay to-day the corner stone of this building, which we know will be truly splendid, let us hope that in a measure we are helping to lay also a foundation for the progressive betterment of economic life in this country. To that ideal we shall dedicate this structure. But I feel that we must go further than the dedication of any edifice of stone and steel, however majestic and pleasing that may be. We must dedicate ourselves to service, the service of America—an America mighty in material achievement, pulsating with power, noble in impulse, lofty in aspiration, swift in movement, and beautiful in aspect—adding to the sum of human happiness, courage, and dynamic faith.

In such manner may our Nation contribute toward the attainment of that indefinable but shining goal which Tennyson envisaged many years ago as "the one far-off divine event to which the whole creation moves."

ADDRESS OF HON. RICHARD N. ELLIOTT, CHAIRMAN COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS OF THE HOUSE OF REPRESENTATIVES, AT THE LAYING OF THE CORNER STONE OF THE DEPARTMENT OF COMMERCE BUILDING, WASHINGTON, JUNE 10, 1929

A little more than three years ago—to be exact, on the 25th day of May, 1926—President Calvin Coolidge signed the Elliott-Fernald Public Building Act which authorized a building program in the District of Columbia calling for an expenditure of \$50,000,000, and for other buildings in other parts of the Nation one hundred and fifteen millions. This law has been amended and supplemented by other acts of Congress until the total amount authorized for the National Capital amounts to \$115,000,000 and for the Nation at large about two hundred and forty-eight millions, a total of \$363,000,000, and will provide much-needed public buildings in all parts of the Nation. It will be expended at the rate of \$35,000,000 annually. It is probably the most stupendous building program ever adopted by this or any other Government. It is unique in this: That it is the first time in history that our Government ever adopted a definite and businesslike program for the handling of the construction of its great public buildings.

To-day is a red-letter day in Washington. We are laying the corner stone of the world's greatest office building, which is to house the thousands of employees of the great Department of Commerce, one of the newest and yet one of the greatest executive departments of our Government. Under the guidance of that master genius, President Hoover, who was for many years head of the department, its importance grew by leaps and bounds until its activities reach into all parts of the world, aiding our citizens to carry on their commercial operations, great and small, with every civilized nation. His great work in this department caused the people of the United States to elect him President, and it must be a great pleasure to him to lay the corner stone of this great building which is a monument to his public service.

This building is of course the largest and most important of the hundreds of buildings contemplated in the act of May 25th, 1926, and the acts amendatory thereof and supplementary thereto, but many other great buildings will be erected here as well as in New York, Chicago, Boston, Baltimore, Cleveland, St. Louis, and many other cities throughout the country. They will be much appreciated by the people of the country generally. I sometimes believe, however, that the smaller Federal buildings in the county-seat towns, far removed from the National Capital, are much more appreciated by the citizens of those places and create greater respect and reverence for our Government than do the buildings in the larger places. I hope the time will come at no distant day when the Government will be able to provide public buildings in all of the towns and cities of the country where the revenues of the post office are sufficient to warrant it.

The responsibility for carrying out this great building program is placed by law on the Secretary of the Treasury, and so far as post-office buildings are concerned the responsibility is divided between him and the Postmaster General. Secretary Mellon and Postmaster General Harry S. New, ably assisted by Hon. James A. Wetmore, the Acting Supervising Architect, and other assistants in the Treasury and Postoffice Departments have labored long and diligently to carry out the mandate of Congress and are entitled to great praise for the splendid work they have done in carrying out this building program.

A nation is judged by the character and education of its people, its public buildings, its homes, its literature and art, as well as by its natural resources. When the great buildings authorized in this program are all completed they will add much to the beauty and stateliness of the National Capital and other cities, and to the efficiency of our Government and to the health and comfort of the Federal employees, and will increase the respect of our people for the Government and elevate our Nation in the eyes of the world. It is a well-known fact that in these days when we are spending millions of dollars in research work, excavating the ruins of ancient cities, one of the things our students are most vitally interested in is the kind and character of the buildings they had in those days and from these we judge the civilization and culture of ancient times.

Another thing that must not be overlooked is the importance of this building program from the standpoint of business and labor conditions of the country, for after all the buildings are the products of labor, and the expenditure of \$35,000,000 annually in this country will be felt in every avenue of business engaged in structural work. It will distribute millions of dollars each year to labor in all parts of the country.

As the author of the law under which this great program is authorized, I can look backward to-day over the past four years with a great deal of pride and satisfaction. When I assumed the position of chairman of the Committee on Public Buildings and Grounds of the House of Representatives I was met with a calendar containing more than 900 public building bills, asking for buildings in almost every city and hamlet in the country, and calling for an expenditure of more than \$300,000,000. No bills of this character had been authorized since the passage of the act of March 4, 1913. President Calvin Coolidge was asking Congress to adopt the \$50,000,000 program for public buildings in the National Capital, and the situation was not a happy or pleasant one for me to contemplate. I knew the old pork-barrel method of handling public-building legislation had fallen into disrepute and that a new method would have to be devised to handle this work. After careful study of the situation and consultation with many Members of the House and Senate I conceived the plan we have adopted and succeeded in getting the approval of the same by President Coolidge and Secretary Mellon. After a red-hot fight in the Committee on Public Buildings and Grounds of the House I finally succeeded in getting the bill reported to the House, with some amendments, and after another hard fight in the House it went to the Senate, where it was viewed with alarm by some and contempt by others and allowed to die at the end of the Sixty-eighth Congress.

I reintroduced the bill at the beginning of the Sixty-ninth Congress, and it was passed promptly by the House of Representatives by a vote of about three-fourths of the membership of that body. It went again to the Senate, where I succeeded in getting the late Senator Bert M. Fernald, of Maine, chairman of the Senate Committee on Public Buildings and Grounds, to take an interest in it, and he succeeded after a very hard fight in getting the Senate to pass the bill, which it did with some misgivings.

The law has worked well under the wise management of the Secretary of the Treasury and the Postmaster General, and funds have been allocated to the various States, and buildings have been authorized in places where they were most needed throughout the country without regard to sectional or political affiliation. The Sixty-ninth and Seventieth Congresses will go down in history as having done more to provide sufficient and adequate public buildings to house the employees of our Government and promote the efficiency of the public service than all of the other Congresses combined. The individual members of the Committees on Public Buildings and Grounds of the House and Senate are also entitled to recognition here to-day.

I can not close this brief address on this auspicious occasion without paying a tribute to the memory of my good friend and associate the late Senator Bert M. Fernald, whose labor and sacrifices on the floor of the Senate in the passage of this public-building program entitles him to our praise and recognition. It was no easy task to pilot this great bill safely through the Senate against strong opposition. Senator Fernald was a sick man, and many times he was fighting with his back to the wall; but he brought the bill through and made it possible for us to lay the corner stone of this great structure to-day. Much important legislation relating to the development of Washington, however, has been passed by Congress since the death of Senator Fernald, all of which passed the Senate under the able leadership of Senator HENRY W. KEYES, of New Hampshire, his successor as chairman of the Committee on Public Buildings and Grounds of the Senate. He is also entitled to recognition for the part he has performed in making Washington the greatest capital in the world.

REMARKS OF GEORGE B. CORTELYOU AT THE LAYING OF THE CORNER STONE OF THE DEPARTMENT OF COMMERCE, WASHINGTON, D. C., MONDAY, JUNE 10, 1929

This impressive scene inevitably recalls to me an earlier scene—26 years ago—when, on July 1, 1903, there assembled in my office in the Willard Building, 513 Fourteenth Street NW., a few Government officials and others to witness the formal transfer of a number of bureaus and offices to the new Department of Commerce and Labor, marking the

beginning of that department as a full-fledged executive branch of the Government; later to become the Department of Commerce, with labor constituting a separate department.

The exercises on that occasion were simple and brief. From the short address that I made I quote the following sentence:

"While we can not dedicate a new and imposing structure to the uses of this department, we can at least, and I am sure we all do, dedicate ourselves to the work which Chief Executives have recommended and Congress in its wisdom has set apart to be done."

Now—more than a quarter of a century later—the lack of a "new and imposing structure," to which I referred, is about to be remedied. However long postponed, we are happy that the time has come when the department is to have a home adequate to its needs.

But, however and wherever housed, there has never been any lack of the spirit of dedication to its work on the part of its personnel, from the highest to the lowest. That spirit has carried it to the front rank of the executive departments of the Government and has made it of invaluable service to the people.

In my successors the department has had a long line of distinguished Secretaries. It enjoys the rare distinction of having given to the country a President. It was Mr. Hoover's record as Secretary of Commerce that confirmed the people in the belief they had long entertained in his fitness to assume the great responsibilities of the Presidency—a belief amply justified by the event. The department, as well as the country, is fortunate in having as Chief Executive one who so thoroughly understands its needs and its problems.

Mr. Secretary Lamont, I appreciate deeply the privilege of being here to-day. As the first Secretary of the department over which you preside, I have followed its fortunes with the keenest interest. No one is happier than I that these have been so auspicious. With the completion of the great building that is to rise upon this site, a new era in the history of the Department of Commerce will begin. Those of us who were connected with it in the days of its organization and early development congratulate you on the opportunity for public service that lies before you, and wish you Godspeed.

ADDRESS OF PRESIDENT HOOVER AT THE LAYING OF THE CORNER STONE OF THE NEW DEPARTMENT OF COMMERCE BUILDING IN WASHINGTON MONDAY AFTERNOON, JUNE 10, 1929, AT 4 O'CLOCK

On an occasion which so peculiarly marks the progress of this great national institution it is a particular pleasure to welcome those men who, as former Secretaries of Commerce, have contributed to its up-building. And I may perhaps be pardoned for an especial pride on this occasion, having served for seven years in the department and having had some part in the design and initiation of this building. Those who have presided over this department truly appreciate the significance and the inspiration of this occasion. It marks the emergence of the Department of Commerce into full maturity and service.

Setting the corner stone of any great public building in the city of Washington is also a milestone of progress, not only of the Capital but of the Nation as a whole. This building will be not only the largest single public structure in the city, but in its actual floor space it is said to be the largest office building in the world. It represents the most important structure in the new program for better accommodation of our Government and the beautification of our National Capital.

We use to-day the trowel with which President Washington laid the corner stone of the Capitol, 136 years ago. Its use can not but recall the growth of this city and of our country which that period so uniquely represents. When President Washington laid that corner stone, this particular spot was but a swamp traversed by little more than a cow path which led from the beginnings of the Capitol to the beginnings of the White House. Even when, seven years later, the administrative bureaus of the Government were moved from New York and Philadelphia and set up in Washington, they consisted in entire personnel of officials and clerical force, of less than 150 persons. Since that time the administrative functions of the Government have been expanded year by year until they now require twenty times as many officials for each million of people as were required then. While there may be complaints over the expansion in other directions, this department can not be a subject of them for it is devoted solely to aid and foster the development of higher standards of living and comfort of our people.

The beginnings of the idea to create a Department of Commerce are perhaps obscure. There was no provision in the Constitution for any Cabinet officer, department, or bureau. A nation struggling for liberty and freedom naturally gave more thought to provision for fundamental freedom by formulation of law for its protection than to the administration of those laws, but necessarily administration quickly followed.

In advising upon the divisions into which administrative work should be assigned, it is said that Alexander Hamilton proposed the creation of six departments—State, Treasury, War, Justice, Post Office and Trade. But out of economy the last-named department was not created. It was not until 114 years later that the functions which he then described emerged as the Department of Commerce.

As Secretary of the Treasury, however, Hamilton's vision well comprehended the necessities of Federal government activity in support of commerce and industry. Of the bureaus which are now included in the Department of Commerce, those of Patents, Census, Lighthouses and Navigation were established by him in the Treasury. During the hundred years before the founding of the department, other bureaus were created and finally brought together into a homogeneous organization with full cabinet representation under President Roosevelt, and with Mr. Cortelyou as its first Secretary. The 26 years since its foundation have shown an extraordinary expansion and change until the department has evolved into its present impressive size and helpfulness.

And its ideals are clear: That by cooperation and not by compulsion it should seek to assist in maintaining and giving the impulse of progress to commerce and industry in a nation whose successful economic life underlies advancement in every other field.

THE CORNER STONE

The corner stone was placed in the northwest corner of the building at Fifteenth and E Streets.

Inscribed on the stone, which is of Stony Creek granite, are the names of Herbert Hoover, President of the United States; A. W. Mellon, Secretary of the Treasury; R. P. Lamont, Secretary of Commerce; James A. Wetmore, Acting Supervising Architect of the Treasury; and York and Sawyer, architects. The date on the stone is 1929.

CONTENTS OF CORNER STONE BOX, DEPARTMENT OF COMMERCE BUILDING, JUNE 10, 1929

I commend to your thoughtful consideration the contents of this box:

- The Bible.
- The Constitution of the United States.
- United States flag.
- Medallion of President Hoover.
- Impression of Department of Commerce seal.
- Flag of the Secretary of Commerce.
- Annual report of the Secretary of Commerce and Labor for the fiscal year 1903.
- Annual reports of the Secretary of Commerce for the fiscal years 1921–1928, inclusive.
- Booklet descriptive of the organization and activities of the Department of Commerce, as of November 1, 1928.
- Letter of Secretary of the Treasury A. W. Mellon, of June 7, 1929, inclosing small-size one dollar silver certificate of series to be issued about July 10, 1929. (No. A00004001 A.)
- Letter of Postmaster General Walter F. Brown, of June 7, 1929, inclosing ten 2-cent postage stamps of the series issued to commemorate the fiftieth anniversary of the production of the first incandescent electric lamp invented by Thomas A. Edison. (A copy of the patent granted Mr. Edison for the lamp is inclosed with Patent Office material.)
- Congressional Directory, first session, Seventy-first Congress, May, 1929.

Pamphlets: Reports of President's Conference on Unemployment—1921, 1923, 1924, and 1929; and two volumes of Committee Report on "Recent Economic Changes, 1929."

Floor plans, Department of Commerce Building, first, second, and third floors.

Miniature of trowel used by President Washington in laying the corner stone of the Capitol of the United States on September 18, 1793, and used by President Hoover in laying the corner stone of this building.

- Copy of Washington Evening Star, June 8, 1929.
- Copy of Washington Times, June 8, 1929.
- Copy of Washington News, June 8, 1929.
- Copy of Washington Post, June 10, 1929.
- Copy of Washington Herald, June 10, 1929.
- Copy of New York Times, May 15, 1929 (rag-paper edition).
- Copy of addresses delivered at the laying of this corner stone by President Hoover, Secretary Lamont, Senator Smoot, Representative Elliott, and first Secretary of Commerce and Labor Cortelyou.
- Copy of program of ceremonies of laying of this corner stone.

CONTRIBUTIONS BY BUREAUS AND OFFICES OF THE DEPARTMENT OF COMMERCE

AERONAUTICS BRANCH

- Copy of air commerce act of 1926.
- Copy of air commerce regulations of June 1, 1928.
- Copy of requirements for approved type certificates for airplane structures, airplane engines, and airplane propellers, 1928.
- Copy of airport rating regulations, January 1, 1929.
- Copy of report of airway marking committee, January 23, 1929.
- Copy of annual report of the Director of Aeronautics to the Secretary of Commerce for the fiscal year ended June 30, 1928.
- Photographs of typical present-day commercial airplanes.

Airway map of the United States, April 1, 1929.
 Typical airway strip maps, April 15, 1929.
 Copy of an illustrated account of the first successful flight by man with a motor-driven, heavier-than-air machine made by Wilbur and Orville Wright at Kitty Hawk, N. C., December 17, 1903.

RADIO DIVISION

Copy of radio laws, 1914.
 Copy of letter creating radio division under Secretary of Commerce Herbert Hoover.
 Copy of radio act of 1927.
 Copy of radio act of 1910.

BUREAU OF THE CENSUS

Book, A Century of Population Growth in the United States—1790–1900.
 Abstract of the fourteenth census of the United States, 1920.
 Photographs of first and fourteenth decennial censuses.
 Photographs of fourteenth census report.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Organization chart, as of February 1, 1929.
 Pamphlet, Practical Aids to the Independent Merchant, January 1, 1929.
 Pamphlet, Practical Aids to American Exporters, 1928.
 Pamphlet, Practical Aids for Domestic Commerce, 1928.
 Statistical Abstract of the United States, 1928.
 Commerce Yearbook, 1928 (2 volumes).

BUREAU OF STANDARDS

Specially prepared pamphlet on the scope, functions, and activities of the Bureau of Standards.
 Miscellaneous publications, papers, and articles.

BUREAU OF FISHERIES

Report of Commissioner of Fisheries, 1872–1873.
 Report of Commissioner of Fisheries, 1927, with appendices.
 Report of Commissioner of Fisheries, 1928.

BUREAU OF LIGHTHOUSES

Book—Lighthouses and Lightships, by George R. Putnam, Commissioner of Lighthouses.
 Report of the Commissioner of Lighthouses for the fiscal year 1923.
 Report of the Commissioner of Lighthouses for the fiscal year 1928.
 Book—Radio Fog Signals and Radio Compass, 1924.
 Pamphlet—Two Hundredth Anniversary of Boston Light, September 25, 1916.

COAST AND GEODETIC SURVEY

Chart of New York Harbor, 1845.
 Modern chart of New York Harbor, 1929.
 Photostat of Topographic Sheet No. 1, 1834.
 Annual Report of the Director of the Coast and Geodetic Survey, fiscal year 1928.
 Photograph of Coast and Geodetic Building, 1871–1929.

BUREAU OF NAVIGATION

Report of the Commissioner of Navigation, 1889.
 Report of the Commissioner of Navigation, 1928.
 Merchant Marine Statistics, 1928.
 Navigation Laws, 1927.

STEAMBOAT INSPECTION SERVICE

Proceedings, Board of Supervising Inspectors, 1852.
 Annual Report of the Supervising Inspector General, 1928.
 Copy of pilot's license granted to Samuel Clemens (Mark Twain), April 9, 1859.

PATENT OFFICE

Copies of patents issued:
 No. 4, issued to Francis Bailey (the oldest record of the Patent Office), January 29, 1791.
 Telephone, Alexander Graham Bell, March 7, 1876.
 Telegraph, Samuel B. F. Morse, June 20, 1840.
 Cotton gin, Eli Whitney, March 14, 1794.
 Sewing machine, Elias Howe, Jr., September 10, 1846.
 Reaper, Cyrus H. K. McCormick, June 21, 1834.
 Boat-raising device, Abraham Lincoln, May 22, 1849.
 Incandescent electric lamp, Thomas A. Edison, January 27, 1880.
 No. 1,000,000, vehicle tire, Francis H. Holton, August 8, 1911.
 No. 1,500,000, submersible vessel, Simon Lake, July 1, 1924.
 Annual report of the Commissioner of Patents, fiscal year 1928.
 Official Gazette of the Patent Office, issue of June 4, 1929.
 Journal of the Patent Office Society, May, 1929.
 Pamphlet describing Patent Office organization, history, and procedure, May, 1919.
 Copy of radio talk by Commissioner of Patents Thomas E. Roberts, April 13, 1929.

BUREAU OF MINES

First Annual Report of the Director of the Bureau of Mines, fiscal year 1911.

Annual report of the Director of the Bureau of Mines, fiscal year 1928.
 Photographs of mine rescue work.

We hereby certify that the material listed above has been deposited in the copper box to be placed in the corner stone of the building for the United States Department of Commerce.

Committee:

MALCOLM E. KERLIN,
Administrative Assistant to the Secretary.
 E. W. LIBBEY,
Chief Clerk of the Department.
 E. E. HUNT,
Assistant to the Secretary.
 ERNEST PRIEST.

Attest:

ROBERT P. LAMONT,
Secretary of Commerce.

CALENDAR REFORM

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on calendar reform, accompanied by a chart and also newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BLOOM. Mr. Speaker, for quite some time there has been much discussion of calendar reform, and I feel that my own relationship to the subject is such that I would like to put the matter as clearly as possible to the Members of Congress.

I have made a thorough study of the whole question and realize how complicated and technical the subject is. Like most of you, I once believed the matter too complex for a layman's understanding. I was under the impression that only scientists could undertake to handle it. But now I know that the difficulties are not insurmountable and that it is the duty of all of us to inform ourselves thoroughly on the subject.

I hope I shall not be likened here to Lord Chesterfield, who wrote his son in 1751 explaining how he succeeded in bringing the House of Lords into line on this question when England was faced with a change in the calendar.

Lord Chesterfield wrote:

I was to bring in this bill which was composed of law jargon and astronomical calculations, to both of which I am an utter stranger. However, it was necessary to make the House think I knew something of the matter, and also to make them believe that they knew something of it themselves, which they do not. So, I resolved to do something better than speak to the purpose, and please them, instead of informing them. This succeeded, and ever will succeed; and many of them said I have made the whole matter very clear to them, when God knows, I had not even attempted it.

THOROUGH STUDY OF CALENDAR

On the contrary, Mr. Speaker, I shall deliberately go directly into the question itself and present all of the facts with the purpose of making them clear to you. I have made an earnest effort to go into every phase of the history and present situation of the calendar working and proposed reform.

I have the honor to be a member of the Foreign Affairs Committee of the House, to which the resolution of my colleague, Mr. PORTER, chairman of the committee, was referred. House Joint Resolution 334 requests the President to "propose the calling of an international conference for the simplification of the calendar or to answer on behalf of the United States an invitation to participate in such conference." The resolution goes on at some length to describe the defects of the present calendar and points out the advantages of a new type of 13-month 28-day calendar, which has recently become known as the "Eastman Plan." Three pages of my colleague's resolution are devoted to the discussion of calendar difficulties and possible improvements in detail, and it is these three pages that will require a complete presentation of my differing viewpoint.

PROPOSERS STRESSED BUSINESS ADVANTAGES

Our Committee on Foreign Affairs spent many sessions hearing witnesses who described the advantages of the newly proposed calendar and we also heard many who represented the opposite viewpoint.

Of those who came as protagonists for the 13-month plan, practically all pointed out the business and commercial advantages. In fact, it may truthfully be said that the greatest arguments in behalf of the new plan are the benefits to transactions in commerce, bookkeeping, accounting, and auditing. Nearly all of the opponents were representatives of various religious denominations who appeared before the committee to point out how harmful the adoption of any 13-month plan would be to their religion. Because of this, the belief has spread that "business is in favor of the Eastman plan calendar and religion is against it"—an entirely erroneous idea.

NOT ALL OPPOSITION RELIGIOUS

I can easily understand how such an idea would spread, but, Mr. Speaker, I wish to call your attention to the fact that numerous arguments in opposition to the plan were brought before our committee which were not of a religious character. Likewise, I wish to bring to the notice of my colleagues the fact that when a committee of the Chamber of Commerce of the United States had this matter under consideration, the majority, it is true, were in favor of the change, but the minority—also sensible business men—rendered a report which should be given attention at this time, because the belief has spread that the chamber of commerce and all successful business organizations are wholeheartedly behind the new plan. I quote from the minority report signed by the members of that special committee of the chamber and will likewise point out to you that thousands of other business men object to the new proposal.

The minority report of the Chamber of Commerce of the United States reads:

The urgency toward a change in the Gregorian calendar comes to the chamber out of a reference by the International Chamber of Commerce, following the interest of the sponsoring committee of the League of Nations. It is one of those propositions which, apparently in no way taxing any one nation at the expense of another and having no political character which might offend, has had an easy launching. It excites the enthusiasm of individuals with minds given to logical expression, and once launched readily embraces the cordial support of well-meaning people who unthinkingly commit themselves to the perpetration of a nuisance. Most questions passed upon by this body relate to questions of fact, but this is peculiarly one in which its advocates are willing to pronounce themselves, offhand, without, we believe duly calculating the implications.

WOULD PROVE ANNOYANCE TO MILLIONS

Generally speaking, the civilized world does now possess, or is rapidly coming to possess, a calendar enjoying substantial uniformity. The infliction of a new calendar having radical departures from the present, or attempting to improve it, would mean annoyance to millions of people, would bring great discomfiture to great sects which view the present calendar with religious loyalty, and would offer nothing of substantial value to any single business which that business can not enjoy now, if it will.

The daily use of the calendar vitally concerns the intimate habits and views of vast millions of people in this country. The proposal to agitate a reform in the calendar as presented has no popular backing worth mentioning. It comes to this chamber with the studied support of but few people. A large group has been circularized, and, as often happens with catchy ideas, a great many people, many of them of business prominence, are giving this proposal their indorsement, without deep thought. We have not learned that these people are giving else but lip service toward the furtherance of the idea, though apparently a considerable sum of money is being spent to launch it.

SUBJECT NOT A TIMELY ONE

With this in mind, we are opposed to the recommendations of the committee which, we believe, should not at the present time have the encouragement of the chamber. Furthermore, we are opposed to the last recommendation which would seek to encourage our Government taking part in a conference on a subject in which the great body of this country not only have a vital concern but have as yet evinced no deep-seated interest. When the people themselves, through their accredited representatives, have been led to take an interest in this matter, it may be time for the chamber to bestow its consideration. Popular interest will be our warrant. Certainly there is no great business need for it. We do not believe the subject is a timely one.

However enthusiastic the proponents of the proposed change may seem to be, general business has little interest. Those who wish to use a system of accounting other than that based upon the present months are now doing so. Business, as such, should be careful not to intrude upon matters peculiarly of private concern as well as being interwoven with custom of long standing, unless a change is of transcending importance to business itself. The chamber of commerce can well avoid taking any step to commit itself in this matter.

Mr. Speaker, there are approximately 120,000,000 people in the United States and I sincerely doubt whether there are so many as a thousand who earnestly desire the change of the calendar under which civilization has been working for several centuries.

AN EDITOR'S VIEWPOINT

A well-known editor of one of our daily newspapers has expressed this idea humorously but to the point:

The average citizen does not hesitate to croak and complain about the things with which he is dissatisfied. He is not inclined to suffer any grievance, real or imaginary, in silence, but how often do you find

anybody complaining about the calendar. We hear complaints about practically everything else—the weather, taxes, the high cost of living, inefficient government, the local baseball team, street paving, and the low quality of peanuts being sold, but when do you ever hear the enraged taxpayer stand up on his hind legs and complain because April has not as many days as July.

Mr. Speaker, because of the general impression that religious groups have presented the most serious objections to the proposed calendar reform, I wish to bring these objections to your attention in the fairest possible way. We must respect every religious denomination in our country and we must not feel that a minority group deserves less consideration than a large denomination, at the hands of those who are attempting "to bring about the advancement of business or science!" Too much is spoken about tolerance and too little about true respect for other religions. I would like my colleagues of the House to understand the objections of some of the religious groups and to realize the very important fact that when all of the details of this calendar reform are understood by leaders in every denomination, there will be a hue and outcry from sources unexpected. To-day the opponents of the bill may seem to be religious minorities, but to-morrow they will be joined spontaneously by almost every group and sect of religion in America.

In the meantime, Mr. Speaker, I urge you to note the following memorial which was offered to the Congress of the United States by official representatives of the Seventh-Day Adventist denomination. Its reasoning is clear-cut and will interest you, even though it does not represent your own point of view:

WHY ADVENTISTS ARE OPPOSED

We object to the submitted plan for the following reasons:

1. Because it interferes with the ancient religious customs and traditions of the various religious bodies for the sake of commercial advantage. We are not opposed to calendar changes, provided such changes preserve the ancient and divine arrangements of the fixed days of the week. The weekly cycle ordained by the Creator in the very beginning of time, according to the Biblical record, has never been altered, although changes have been made in the calendar from time to time. The days of the months have been changed to establish the correct length of the year, but never in all history is there a single record to be found (with the exception of France for a short period during its reign of terror) where the original week has been changed.

Economy and commercial advantage are important elements in the business life of a nation, but mercenary gain and progress are not the most important considerations that enter into life. The claims of God upon the soul, and the ancient customs and sanctions of religion, which were divinely ordained for all time to come, hold a far more sacred sway over the conscience of God's faithful children than any commercial consideration of the highest value can possibly hold whenever the spiritual and temporal come into open conflict. Civil government should never attempt to interfere in the free exercise of the conscience in religious matters, nor should it merely for the sake of facilitating business alter by human legislation religious customs established by divine authority.

WOULD NULLIFY THE SABBATH

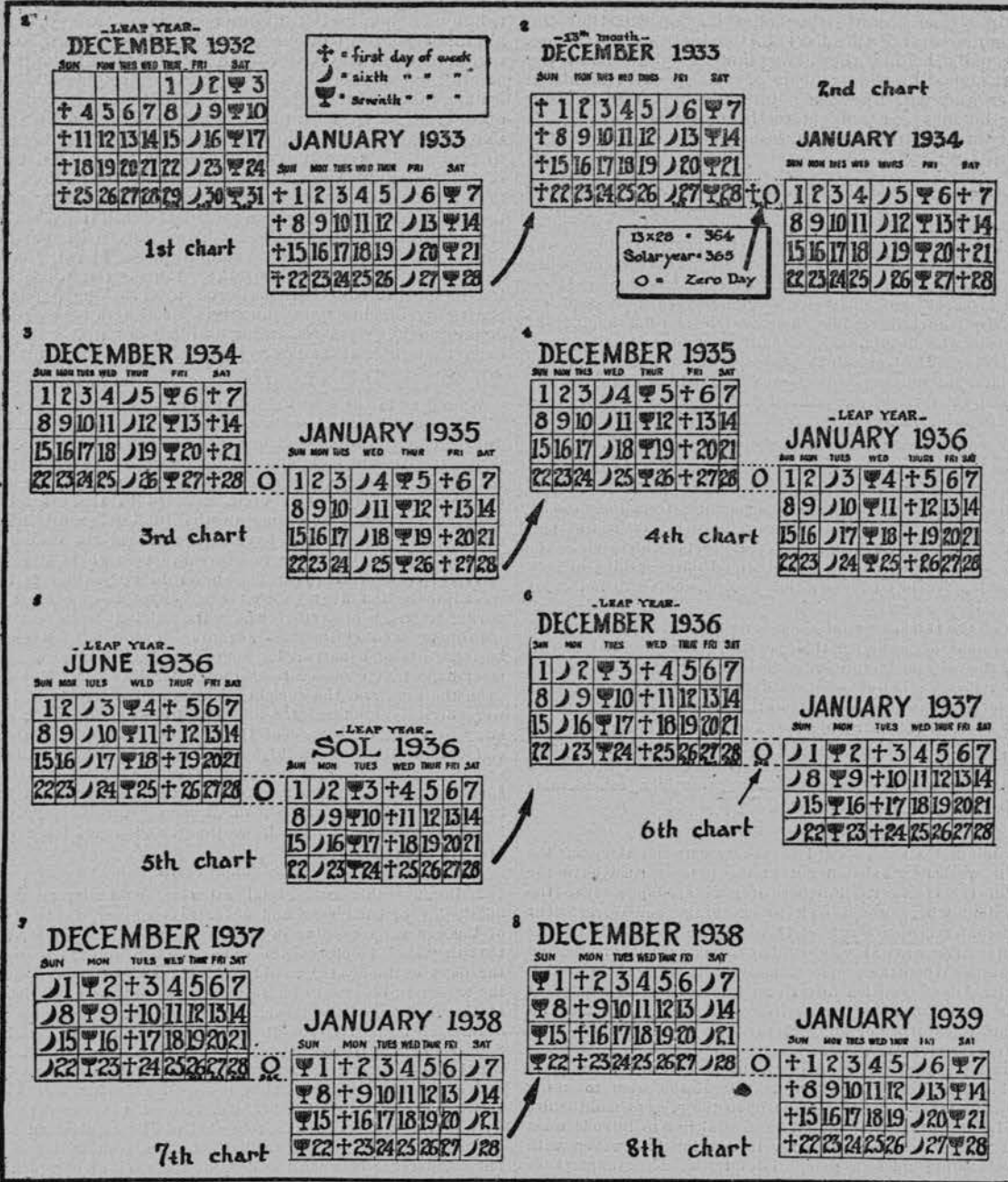
2. Because this commercial calendar, which proposes to drop the 365th day of each year and an extra leap-year day every fourth year of the general reckoning of time as nameless zero days, and stipulates that they shall be observed as extra holidays and not be reckoned among the days of the week, would not only make Sunday, the first day of the week now observed conscientiously by millions of Christians in honor, as they believe, of the resurrection of Christ, a moveable and therefore a farcical memorial, but it would also, if followed, nullify the holy Sabbath of the God of heaven, the original seventh day of the week, which He commanded to be observed forever in honor of His creative and redemptive power. This proposed calendar makes no difference between the holy and the profane, between the sacred and the common days of the week, and thus robs God of His rightful authority to make and set apart holy days as distinct from secular days. God Himself put a difference between the days of the week upon which secular labor and business might be transacted, and the seventh day of the week which He hallowed, sanctified, and blessed. The divine law says, "The Lord blessed the seventh day." God's blessing on that specific day made it entirely different from the other days of the week, and the obligation to observe the seventh day of the week as holy time was strictly enforced by divine commandment, and God has never delegated to any human authority the prerogative to change His divine institution.

While the children of Israel wandered in the wilderness, God performed a threefold miracle on every seventh day of the week for a period of 40 years to teach His children that He Himself made a difference between the secular days of the week and the holy Sabbath, which was to be commemorated forever as the memorial of His created works. What God has so significantly set apart as "holy" should not be lightly esteemed by man as a thing of naught.

CALENDAR CHART

Showing—*a.* The “Wandering Sabbath,” *b.* Accumulation, in six years, of seven
“blank-days,” equaling one week

Planned and Designed by SOL BLOOM



HOW SABBATH AND SUNDAY WOULD WANDER THROUGH THE WEEK

The above chart describes a plan for calendar revision that would involve a "blank day" at the end of each year, thus causing the Sabbath of the Jews and Sabbath-keeping Christians and the Sunday of first-day Christians to wander backward through the week. By noting the symbols for these days—the seven-branched candlestick for the Sabbath and the cross for Sunday—the resulting migration of these days may easily be followed through the years.

Thus, the year, 1933, would have the new calendar start the first of 1933, when the year normally begins on Sunday. Thus during that year the true order of the days of the week would be preserved, for Sunday is of course the first day of the week. But 13 months of 28 days each would give us only 364 days, instead of the 366 we need, for the year. We would rest on Saturday night, December 31, 1933, expecting to wake up to greet a Sunday morning. But no, the new calendar would make this a blank day,

not reckoned in the count of the week. We would skip that one day and start in the second day—known as Sunday, January 1, 1934—to begin the count of the week again. This results, as the chart indicates, in making the true order of the days drop back one in 1934, Sunday coming on "Saturday" and the Sabbath coming on "Friday."

In leap year an additional blank day is added at the end of June. Thus every leap year the true order of Sunday, Sabbath falls two days, the year day the first half and another day the second half of the year. (Sol, Latin for "sun," is the name proposed for the extra month.) Any plan that incorporates the "blank-day" principle would produce the above migratory effect upon the holy days of the various religious bodies. (The Moslem may note the effect upon his holy day by following the path of the crescent symbol through this chart.)

TRAMPLES RELIGIOUS RIGHTS

3. Because the proposed calendar as set forth in the plan of the joint resolution, if made effective by law, would trample upon the religious rights of all Sabbatharians and would inevitably lead to the persecution of all nonconformists. Under our compulsory school laws the children of Sabbatharians would be compelled to attend public school on their Sabbath days, or the parents would be subjected to fines and imprisonment. This proposed legislation would, in fact, destroy the religious freedom the Sabbatharian now enjoys in sending his children to Sabbath school and church on the particular day he regards as holy. The proposed plan would completely demoralize and disarrange the normal educational, professional, business, and industrial activities of conscientious Sabbath keepers, since under the proposed calendar the Sabbath would fall each successive year on a different day of the week.

4. Because, while it may be possible for astronomers, historians, chronologists, and observers of anniversaries, memorial days, birth-days, wedding days, etc., to work out, with considerable extra effort, their true dates in terms of the proposed calendar, yet to your petitioners the problem is one of conscientious conviction based on a fixed weekly memorial established by divine authority, which therefore can not be changed by any individual or by any constituted human authority.

MILLIONS ARE AFFECTED

5. Because, if religion is exempt from the jurisdiction of civil authority, much less can the legislative body exalt its mandates above the authority of God, and trample upon the sacred convictions of its conscientious citizens. The Sabbatharians who have suffered and sacrificed unto blood in all past ages in their loyalty to God's divine commandment to keep the true Sabbath holy and to preserve it from being lost from one generation to another without a break in its continued observance, can not be expected to surrender their sacred heritage and their religious conviction now. There are millions of orthodox Jews and hundreds of thousands of orthodox Christians who still observe the ancient Sabbath, and they will continue as they have done aforetime in spite of any human laws to the contrary. If Seventh-Day Adventists, Seventh-day Baptists, and the Jews should follow the migratory Sabbath as proposed in the new calendar, they would vitiate every reason for their existence as Sabbatharians. It is inconceivable that these conscientious people will now surrender their religious convictions for the sake of mercenary gain. This proposed change would necessitate the bringing in of two calendars, and would result in confusion and division where there is now peace and harmony. The conscientious Sabbatharians would properly refuse to follow the migratory Sabbath as he would still observe the seventh day of the unbroken weekly cycle, and so, in 1934 the Sabbatharian would observe the seventh day of the original week on Friday; in 1935 on Thursday, and in 1936, it being leap year he would be compelled to observe it on Wednesday and Tuesday according to the reckoning of the new calendar, if it is adopted and made effective by 1933 as is contemplated in the joint resolution.

For the reasons herein presented, we earnestly protest against the changes suggested in the calendar as proposed in the Porter joint resolution.

RELIGION VITAL IN LIFE

Mr. Speaker, such reasoning is not to be thrust aside without due consideration on the part of Members of Congress. Religion is a vital thing in the life of some people, thank God, and wherever it exists in earnest and sincere form it is the duty of the Government to see to it that it is fostered and encouraged and that no obstacles are placed in the way of those who have conscientious scruples. Remember also that the objection to a system which would affect the worship of the Sabbath is not basically one that is founded on utilitarian consideration; it arises out of a deep religious conviction—a conviction for which thousands of earnest souls have suffered in past centuries—even accepting martyrdom. Such religious observances must not only be tolerated but respected, and it is the duty of my colleagues in the House to thoroughly investigate the effects of changing the calendar and to weigh the social and religious harm resultant, as against the possible commercial benefits.

Mr. Speaker, the statement I made a little while ago may seem to you exaggerated, but I insist that it is strictly within the bounds of the truth: When leaders of other denominations realize the facts of this calendar change they, too, will rise in arms and object as strenuously as have the observers of the seventh-day Sabbath. Tens of millions of Christians who now worship on the first day of the week—the commonly called Lord's Day—have but to understand that the new calendar will necessitate their worshipping on other days than the real Sunday to cause them to battle boldly also for the protection of the original holy Sabbath.

WIDESPREAD OPPOSITION DEVELOPING

I am not speaking from mere theory, Mr. Speaker. We have during the past few months been in consultation or correspondence with some of the leading bishops and dignitaries of

various Christian denominations, and I know whereof I speak when I declare that practically all Christian denominations will stand in opposition to any new calendar which does not provide for Christian worship on the Lord's Day—the first day of the week as it is now observed.

In almost every instance these ecclesiastics have at first favored the 13-month 28-day calendar, but when they studied the question more thoroughly and realized that it is impossible to change the present calendar without moving the day of worship to a different day of the week every year, they voiced their objections and stated that they will be ready to speak out publicly in accordance with their changed belief. This question is not yet understood generally and therefore many favor it until they comprehend just what the change will mean to their own religion.

I say this, because I wish you gentlemen to realize that the protests are not limited to a few small denominations. I sincerely feel that Congress will hear the thanks of millions of citizens in this country when it is realized that we have not permitted the trampling under foot for commercial purposes of that which is considered sacred by so many citizens of our country.

CONSTITUTIONAL OBJECTION

Now, Mr. Speaker, you may be aware of the fact that when this proposal was being discussed before the Foreign Affairs Committee, I suggested that in truth we had no right to be considering the question at all. I sincerely believe that I was correct in my statement at that time, and I wish to reiterate my constitutional objection to the whole proposition.

The following are the four points of order which I presented against this House Joint Resolution 334:

(1) There is no rule of the House of Representatives authorizing the Committee on Foreign Affairs, or any other committee of the House or of the Senate, to report or even consider legislation affecting a change in the calendar.

(2) There is no provision of the Constitution authorizing Congress to legislate on the subject of changing the calendar.

NOTE.—Article X of the Constitution.

(3) Congress is positively forbidden by the Constitution from making any law respecting any establishment of religion or any law that would prohibit the free exercise of religion. Legislation changing the date of the Sabbath surely affects the religion of hundreds of millions of people, and would positively interfere with the free exercise thereof.

(4) There is no power given to Congress by the Constitution to pass any law that will alter or nullify the laws of any State of the Union.

VIOLATION OF STATE RIGHTS

In taking up these four points in the reverse order I wish to emphasize the fact that the Federal Government is not empowered to prescribe changes in the calendar for the States. It could only make its law effective in the District of Columbia, the Territories, and Territorial possessions of the United States. A situation strictly analogous to this is the one in which people speak of national legal holidays, yet realizing well that there are, strictly speaking, no national legal holidays in the United States; not even the Fourth of July.

The Federal Government has no constitutional power to prescribe legal holidays in the various States. It can make holidays legal only in the District of Columbia and in the Territories. Even the presidential proclamation designating a day of thanksgiving each year does not make that day a national legal holiday. For commercial purposes the Federal Government, by various acts of Congress, has recognized Labor Day, Christmas, New Year's Day, Washington's Birthday, Memorial Day, and the Fourth of July as public holidays. That is as far as the Federal Government can go. There is no general statute on the subject. Sometimes the term "national legal holiday" is loosely applied to holidays such as some of those mentioned above, which have been made legal holidays in every State and in the District of Columbia and all the Territories, and which are therefore, in one sense, both national and legal.

STATES NOT OBLIGATED TO ADOPT CHANGE

By analogy the same reasoning will apply to proposed changes in the calendar. Even if the Federal Government should pass the act legalizing the 13-month calendar, not a single State would be under obligation to make the change.

The same situation would apply to any attempt of the Federal Government to reverse the calendar. At the present time each State has the privilege of regulating time in its own way. As a matter of fact the States have in general delegated this privilege to the various municipalities. It is, for instance, a well known fact to all of you that any city can decide whether it shall utilize daylight-saving time or not. By the same token each city could call what is generally known as noon "3

o'clock" or "6 o'clock" or any other time. In other words, Mr. Speaker, the regulation of time is entirely within the jurisdiction of bodies outside of the Federal Government and the latter can do nothing to alter or nullify the laws of any State of the Union.

Some State legislatures have already exercised their power in this calendar question and introduced bills providing for the 13-month calendar. This, however, is folly, because if these States should adopt the new calendar, the worst kind of confusion would result. Different dates, different days of the week and even different months would prevail at the same time.

How would it be, for example, if in New York it would be Tuesday, May 2, and in New Jersey, across the river, the calendar would read Friday, April 27?

NEW YORK'S BILL RECENTLY INTRODUCED

On January 18, 1929, a bill was introduced into the Assembly of the State of New York entitled:

An act amending Section 50 of the general construction law as to time, use of standard, making 364 days in one year divided in 13 calendar months of 28 days each.

The bill reads:

SECTION 1. Section fifty of the general construction law is hereby amended to read as follows. Time shall continue to be computed in this state according to the [Gregorian or] *new style*. The first day of each year after the year [seventeen hundred and fifty-two] *nineteen hundred and thirty* is the first day of January, according to such style. So that each year shall contain three hundred and sixty-four days divided into thirteen months of twenty-eight days each.

2. Section fifty-seven of this act is hereby repealed.

3. This act shall take effect immediately.

In the State of Oregon a resolution pertaining to this subject was introduced on January 21, 1929.

Mr. Speaker, can you imagine the confusion that would prevail if one of these bills or any bill similar to them were approved by Congress and an attempt was made to have them put into effect?

HISTORY OF CALENDAR CHANGES

I call this to your attention particularly because I wish to emphasize two important facts. On the one hand, it indicates the absolute correctness of my point of order that there is no power given to Congress by the Constitution to pass any law that will alter or nullify the laws of any State of the Union; and also because, if calendar changes were attempted according to the correct method and regulations of State procedure, indescribable confusion would result.

I wish to call your attention now, Mr. Speaker, to the whole situation affected by the calendar changes that are contemplated. You realize, of course, that this is not the first time that so-called improvements to our present method of reckoning time have been suggested. Since time immemorial, men have felt that the current form of calendar was complicated and unwieldy and many attempts were made to improve it. The present method of measuring time is known as the Gregorian calendar, named in honor of Pope Gregory XIII who, in 1582, revised the calendar. He came as near perfection as is possible, I believe.

NOT AN EASY TASK

To devise a calendar adapted to the needs of mankind is not an easy task. It must contain the day, the month, and the year which are natural divisions measured by alternating light and darkness, by the waxing and waning of the moon, and by the recurring seasons. The difficulty of harmonizing these elements is at once apparent when it is considered that the number of days in a month or year, or of months in a year, in each case includes a fraction.

The sidereal day, or time of a complete rotation of the earth on its axis, as measured by the apparent passage of the fixed stars, is a constant period, and subject to no changes that man can discover. It is 3 minutes and 55.909435 seconds shorter than the mean or average solar days, so that it would not do for a standard day because its beginning would, in the course of the year, have occupied every hour of the natural day.

The solar day is measured by the apparent passage of the sun from the meridian of one day to the meridian of the next. The duration of this day is affected by the elliptical orbit of the earth, the inclination of its axis, and the perturbations of the planets. Though subject to fluctuations from these causes, observation has determined that year to year a constant average of length is maintained. This average or mean solar day has been adopted as the unit or standard of astronomical and civil time, and is arbitrarily divided into 24 hours and subdivided into minutes and seconds. Observation has shown that the noon or meridian of a natural or solar day may occur 14½

minutes sooner, or 16½ minutes later than midday of mean solar or common clock time.

YEAR ALSO SUBJECT TO CHANGE

The solar year is also subject to slight changes caused by the attraction of other planets, hence the mean solar year has been adopted as a standard to which the calendar must conform as nearly as possible. Its length has been found to be 365.24224 days, which being fractional requires the addition of a day from time to time to the year of 365 days to keep the seasons in the same portion of the calendar.

Our present calendar is a growth, which may be traced back to 738 B. C., when Romulus introduced the Roman calendar, in which the year comprised 304 days, divided into 10 months, described as follows: March, the first month, was named in honor of Mars, the god of war. The name of the second month, April, was derived from *aperire*, to open, as the month in which the earth opened for new fruit. May, the third month, was so called in honor of Maia, the goddess of marriages. Quintilis was then the fifth month, Sextilis the sixth, our September the seventh, October the eighth, November the ninth, and December the tenth. During the reign of Julius Caesar Quintilis was changed to July at the suggestion of Mark Antony and subsequently Caesar Augustus, not to be outdone by Julius, gave the place of Sextilis to August.

But this year of 304 days did not agree with the solar year of 365 days or the lunar year of 354 days, nor did it recur at any fixed season. In 713 B. C., to correct this error, Numa Pompilius added two months—January and February—to the year, fixing its beginning at the winter solstice. This made the year consist of 354 days, or 12 lunar months, to which an additional one was added every two or three years. As Numa's calendar was not based on a knowledge of the true length of the year, the error arising from it accumulated as the years went by and began to confuse the seasons. In Julius Caesar's time, for example, spring came about the 1st of January.

REFORMED BY CÆSAR

This confusion led to the reformation of the calendar by Cæsar in the year 46 B. C. Sosigenes, an Alexandrian astronomer and mathematician, was sent for, who made calculations showing there was a discrepancy of about 80 days in the old reckoning. Cæsar then decreed that the year 46 B. C. should have 445 days, and that the year 45 B. C. should commence on the first day of the new moon following the winter solstice, which date was to be the 1st day of January. The year 46 B. C. with its 445 days was well named "the year of confusion." In the Julian calendar thus established, each fourth year was known as a leap-year or bissextile, because, instead of adding an extra day to February, as we do now, the 25th day of February was duplicated.

The error in the Julian calendar is (365.25—365.24224) 0.00776 of a day per year, and in 129 years it would amount to one day.

In 1582 the error from this and other causes amounted to 10 days. Pope Gregory XIII undertook to rectify the error. After consulting with ecclesiastics, princes, and mathematicians, the plan finally adopted was that proposed by the astronomer Lullius, and in accordance therewith a brief was issued decreeing that after October 4, 1582, 10 days should be omitted, so that the next day should be the 15th instead of the 5th.

THE CHANGE TO THE GREGORIAN

The following illustration shows clearly the change from the Julian to the Gregorian calendar.

1582 A. D.		OCTOBER					1582 A. D.
Sun.	Mon.	Tue.	Wed.	Thu.	Fri.	Sat.	
	1	2	3	4	<u>15</u>	<u>16</u>	
<u>17</u>	<u>18</u>	<u>19</u>	<u>20</u>	<u>21</u>	<u>22</u>	<u>23</u>	
<u>24</u>	<u>25</u>	<u>26</u>	<u>27</u>	<u>28</u>	<u>29</u>	<u>30</u>	
<u>31</u>							

(Numerals are Julian calendar dates. Underscored numerals, Gregorian calendar dates)

The above proves that the change did not interfere in any way with the continuity of the days of the week or the free running week. The change was adopted by Spain, Portugal,

and Italy as decreed by Gregory XIII, on Friday, October 5, 1582. Instead of writing Friday the 5th, they wrote the 15th. It made no break in the weekly cycle, only in the dates of the month when the 10 days were dropped out. The next day after the change was effected was Saturday, but this Saturday became the 16th instead of the 6th of October.

FRANCE ADOPTS CHANGE

France waited till December of the same year, 1582, and it adopted the change in the calendar by calling the 10th of December the 20th, as indicated below:

1582 A. D.		DECEMBER					1582 A. D.
Sun.	Mon.	Tue.	Wed.	Thu.	Fri.	Sat.	
			1	2	3	4	
5	6	7	8	9	<u>20</u>	<u>21</u>	
<u>22</u>	<u>23</u>	<u>24</u>	<u>25</u>	<u>26</u>	<u>27</u>	<u>28</u>	
<u>29</u>	<u>30</u>	<u>31</u>					

(Numerals are Julian calendar dates. Underscored numerals, Gregorian calendar dates)

Again it will be noticed that the continuity of week days or the running week was not disrupted when France dropped the 10 days out of her calendar in the month of December. The change was again made on Friday, but it was Friday the 20th instead of Friday the 10th. The dates of the month were changed but not the days of the weekly cycle.

ADOPTED BY ENGLAND IN 1752

England and her colonies adopted the Gregorian calendar 170 years later, in 1752. By that time it was necessary to drop 11 days instead of 10 days. An act of Parliament stated that September 3 should be called September 14. The change was made on a Thursday, as the following illustrates:

1752 A. D.		SEPTEMBER					1752 A. D.
Sun.	Mon.	Tue.	Wed.	Thu.	Fri.	Sat.	
		1	2	<u>14</u>	<u>15</u>	<u>16</u>	
<u>17</u>	<u>18</u>	<u>19</u>	<u>20</u>	<u>21</u>	<u>22</u>	<u>23</u>	
<u>24</u>	<u>25</u>	<u>26</u>	<u>27</u>	<u>28</u>	<u>29</u>	<u>30</u>	

The above chart explains why we celebrate George Washington's Birthday on February 22, although he was born on February 11. The dropping of 11 days in the calendar during his lifetime makes that difference of 11 days.

England and her colonies (and at that time the United States was a British colony) in dropping out the 11 days again preserved the weekly cycle as all previous nations had done who adopted the Gregorian calendar. The 2d of September was followed by the 14th, and everybody in the English possessions wrote Thursday, September 14, 1752, instead of Thursday, September 3. The date of the month was changed but not the day of the week. The 2d of September was Wednesday, and the next day was Thursday, the 14th of September. It would have been Thursday in either case, whether the change had been made or not. All these changes which were made by different nations at different times did not in a single instance disarrange the weekly cycle between the nations which changed from the Julian calendar to the Gregorian and those which did not. The days of the week were the same in each nation after the change was made as they were before. The dates of the month were different but not the days of the week.

GREECE WAITED 341 YEARS

Turkey, Russia, Rumania, Serbia, and Greece continued using the Julian calendar until just a few years ago. Turkey adopted the Gregorian calendar in 1917, Soviet Russia in 1918, Rumania and Serbia in 1919, and Greece in 1923. Greece had waited just 341 years before it adopted the Gregorian calendar. By this

time it became necessary to drop 13 days out of the reckoning. The following calendar shows how it affected the monthly dates and how the days of the week were preserved intact in dropping the 13 days out of the reckoning.

JULIAN CALENDAR

1923 A. D.		SEPTEMBER					1923 A. D.
Sun.	Mon.	Tue.	Wed.	Thu.	Fri.	Sat.	
					1	2	
3	4	5	6	7	8	9	
10	11	12	13	14	15	16	
17	18	19	20	21	22	23	
24	25	26	27	28	29	30	

STARTING GREGORIAN CALENDAR

1923 A. D.		OCTOBER					1923 A. D.
Sun.	Mon.	Tue.	Wed.	Thu.	Fri.	Sat.	
(1 to 13 inclusiv dropped at this time; thus month started on 14th)							
<u>14</u>	<u>15</u>	<u>16</u>	<u>17</u>	<u>18</u>	<u>19</u>	<u>20</u>	
<u>21</u>	<u>22</u>	<u>23</u>	<u>24</u>	<u>25</u>	<u>26</u>	<u>27</u>	
<u>28</u>	<u>29</u>	<u>30</u>	<u>31</u>				

(Numerals are Julian calendar dates. Underscored numerals are Gregorian calendar dates)

Greece made the change on a Sunday, and instead of calling it Sunday, October 1 according to the Julian calendar, the Greeks called it Sunday, October 14, according to the Gregorian calendar. They went to sleep on Saturday night, September 30, according to the Julian calendar, and woke up Sunday morning, October 14, according to the Gregorian. Dropping the 13 days did not alter the days of the week but only the dates of the month of October. In all the changes made in the calendar by all the nations, care was taken to preserve the continuity of the weekly cycle.

NO CASE WHERE DAY WAS SKIPPED

I have deliberately gone into detail to show you that in all past changes of the calendar there has been no case where a day was "skipped." When people look superficially at the history of the calendar changes they may get the impression that the Julian transformation or the Gregorian adjustment necessitated a change in succession of the days of the week. But that this is an erroneous impression I must stress again, because so many important newspapers criticized me when I opposed the Eastman plan.

For instance, the Washington Post had an editorial on December 31, 1928, which is typical of the misapprehension of other editors. I would ask you to observe in the following editorial how different the recitation of so-called facts are from the presentation which I have just given you involving the history of the calendar changes. The Post editorial of that date read as follows:

CALENDAR CHANGES

Representative SOL BLOOM, of New York, has taken the lead in the opposition that is developing toward the adoption of a simplified calendar. He says that the reformed calendar would prevent the fixed recurrence of Sundays and certain religious holidays and "would mean utter chaos" for Jews, Christians, Mohammedans, and others. "There are certain difficulties in our present system of timekeeping which should be eliminated," he says, "and I am heartily in favor of having the President take the initiative now in calling an international conference with this in view. However, the substitute plan for a new calendar which is now broached by Mr. George Eastman, of Rochester, is a proposal which I must resist."

Mr. Bloom's objection centers in the so-called zero days—days that would be assigned to no month, but which must be inserted into the

new calendar for the purpose of making it synchronize with the solar year. A zero day once a year, he asserts, would serve to move the true Sabbath back one day each year. In 1933, the year it is planned to put the new calendar into effect, the Jewish Sabbaths would fall as they should, on Saturdays, but in 1934 they would fall on Friday.

If the present calendar is to be looked upon as accurately registering true days of the week, there is much to be said in favor of Mr. Bloom's argument. Consideration of its history, however, leads to the conclusion that the present calendar does not register true days.

Julius Caesar, in B. C. 45, reformed the Roman calendar so that thereafter every fourth year should contain 366 days, and all other years 365 days. The intercalary day was introduced by counting twice the sixth day before the kalends of March. He also changed the beginning of the year from the first day of March to the first of January. The average length of the Julian year is therefore 365½ days, which, however, is too long by 11 minutes and 14 seconds. This would accumulate in 400 years to about three days. In A. D. 1582, the Gregorian calendar was introduced by Pope Gregory XIII, with the view of keeping the equinox to the same day of the year. Only such centennial years as were thenceforward divisible by 400 contained 366 days.

The length of the mean Gregorian year, therefore, may be set down at 365 days, 5 hours, 49 minutes and 12 seconds, and the discrepancy amounts to but one day in 3,000 years. The Gregorian calendar was not accepted by England and her colonies until 1752, when the rule for Easter Day was established and the equinox occurred on March 21. September 3, 1752, was called September 14, and at the same time the commencement of the legal year was changed from March 25 to January 1, so that the year 1751 lost the months of January and February and the first 24 days of March. The Gregorian calendar was not adopted by Turkey until 1917, by the Soviet until 1918, by Rumania until 1919, and by Greece and the Greek Church until 1923.

Jews and Christians marked their religious days by the faulty Julian calendar through many years after the more reliable Gregorian calendar had been introduced. But even the latter is not perfect. Because of the error it contains, it does not register true days, and even though the error is almost infinitesimal it stands in the same light as the so-called zero day contemplated in the Eastman calendar.

There is no reason to assume that there is, or could be, such a thing as a "true" day of the week. After all, particularly in view of the several upheavals the present calendar has survived, the celebration of certain days apart from others is governed by custom and tradition. The new calendar would not affect the celebration of religious holidays any more than the Gregorian calendar did. Even under the calendar now in use it will be necessary ultimately to insert an extra day for the purpose of "catching up," which would have just as much effect upon recurring religious holidays as the so-called zero day to which Mr. Bloom objects.

NO CHANGES AFFECTED THE DAY OF THE WEEK

Mr. Speaker, if you have followed me carefully in my earlier presentation it will be unnecessary for me to point out again the mistake which was made in this editorial and which is so commonly made by others. The claim that "the present calendar does not register true days of the week" and that the changes made in the calendar by Julius Caesar and by Pope Gregory XIII "stand in the same light as the so-called zero day contemplated in the Eastman calendar" are clearly unfounded. All historic and astronomical facts bear proof that none of the changes made at any time in the calendar by Ptolemy, Julius Caesar, Augustus Caesar, or Pope Gregory XIII affected the days of the weekly cycle but only the days of the months and the days of the yearly cycle. As reliable an authority as the Encyclopedia Britannica states (page 664 in article called "Calendar," under "Week"):

The week is a period of seven days, having no reference whatever to the celestial motions—a circumstance to which it owes its unalterable uniformity. Although it did not enter into the calendar of the Greeks, and was not introduced at Rome till after the reign of Theodosius, it has been employed from time immemorial in almost all eastern countries—and those who reject the mosaic recital will be at a loss, as Delambre remarks, to assign to it an origin having much semblance of probability.

The days of the weekly cycle have never been disturbed in any calendar changes which have been made. The Jewish race which has been strict in its observance of the seventh day Sabbath as long as history can recall, has never altered its observance of the Sabbath day on the seventh day of the week.

The proposed blank-day plan in the Eastman calendar, as submitted in the resolution I am now discussing, is the first plan that ever suggested a change in the weekly cycle. This plan would make the Sabbath day as well as Sunday a migratory day through the weekly cycle each year, and would in reality make the holy days, which are now definitely fixed, merely fictitious days, robbed of their original religious significance.

QUOTES NEW TESTAMENT

This is not a notion limited to Jewish acceptance. The New Testament states that Jesus rose "upon the first day of the week," and that the day preceding His resurrection was "the Sabbath day according to the commandment." If the day before "the first day of the week" was "the Sabbath day according to the commandment" which God anciently delivered to His people and which the Jewish race has continuously observed, we have positive proof that the present seventh day of the week is the same seventh day of the week it was at the time of Jesus, and as it was at the time the fourth commandment was included in the decalogue at Mount Sinai.

Now, Mr. Speaker, the question may have arisen in your mind as to just what differences it will make whether the religious Sabbath is observed on one day of the week or another. In my opinion the measuring of time is not important in itself, but, because of what it involves in our lives.

To have any value a calendar must possess, above all things, the virtue of continuity.

The calendar which omits an occasional day or two, obviously, is worthless for the primary purpose for which a calendar was devised—a means of reckoning time accurately.

True, the omitted day is not literally lost. The sun rises and sets. The hours pass. We live that period.

IT REALLY IS A LOST DAY

Yet, if the calendar disregards it, it is a lost day in so far as that calendar is concerned. The very fact that such a day has passed and that we have failed to count it, throws all our chronological calculations, past and future, into confusion.

The third day from any given event is the third day, even though we refuse to recognize the intervening day, and call the third day the second. Just so with every succeeding day.

All of which might seem a superfluous line of reasoning, were it not for the fact that a new calendar is offered to us—indeed, it is proposed to force it upon us by world-wide legislative enactment—which would create precisely the situation suggested above.

It is a proposal, too, not lacking in certain plausibility, at first glance. On closer examination, I believe that its inherent inconsistencies speak for themselves.

The most apparent of the difficulties the proposed new system of chronological reckoning must involve is in its application to our everyday affairs.

MANY WOULD REFUSE TO ACCEPT CHANGE

If, for example, we live through a week of time—Sunday, Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday—and on Saturday night raise the question, "What day do we observe next, as Sunday," the natural answer is, "Tomorrow"—and it will be very difficult to convince most of us that "to-morrow" is a "zero" day, and that Monday is Sunday, and should be observed accordingly.

In fact, it does not strain the imagination to assume that great numbers of devout observers of the Christian "Lord's Day" will refuse to be convinced—that they will continue to observe as Sunday the same day that they have been taught to regard as Sunday, from the dawn of the Christian era, and to treat Monday as Monday and the rest of the days of the week as they always have treated them since the memory of man runneth not to the contrary.

Supporting legislation to rearrange—or disarrange—the calendar, in all probability simply will add to the situation's difficulties, by giving official sanction to a chronological change of such character as to render western civilization's day of worship a variable date, drifting ever backward through each succeeding week as the years elapse—and why? For a matter of commercial convenience, or hoped-for convenience.

WANDERING SABBATHS

The variableness of Easter has long been recognized as an inconvenience, not only from the standpoint of the Christian churches, but as a commercial proposition as well.

What, then, shall we say of a "Wandering Sabbath," or a "Floating Lord's Day," not once a twelve-month, as in the case of Easter, but weekly throughout the year?

To be sure, the calendar "reformers" aim at the "stabilization" of a new Sunday, under their plan.

To create a real "day of worship," however, requires more than a law. We may set it down as a foregone conclusion that no mere act of Congress—or even an international convention—setting up an artificial Sunday, will be acceptable to literal-minded religionists.

Probably it would be acceptable enough to a considerable element of people who—without implying any reflection upon them—are not so strict in their interpretation of rules of

orthodoxy. These doubtless would feel that one day of rest and of worship in seven is satisfactory, without insisting upon any particular day in the week for its observance.

GENERAL ACQUIESCENCE ESSENTIAL

Just how public sentiment would be divided in so peculiar a situation is purely a matter of surmise. At any rate, it is a safe prediction that the number of dissenters from any system calling for a changeable Sabbath would be formidable. It might be a majority. It might be only a large minority, but even a minority would frustrate the so-called "reform."

General acquiescence to the plan is essential to its success—Christian acquiescence at least. The Jews never have abandoned Saturday as their holy day. The Seventh-day Adventists and the Seventh-day Baptists never have abandoned theirs. Friday has continued to be the Mohammedan day of worship throughout the centuries.

Relatively, the country over, the Jews are not a large group in the United States. The Seventh-day Adventists and the Seventh-day Baptists are fewer yet. Of Mohammedans America has only a handful.

The great numerical preponderance in our country favors one and the same weekly day of worship and of rest.

Disciples of the Cross hitherto have been almost a unit in accepting as their Sabbath the day which virtually the whole of Christianity has accepted for well-nigh two thousand years.

Public regulations can be prescribed—and have been prescribed—and made tolerably effective throughout the land—for the respect, if not the religious observance, of the Lord's Day upon which the overwhelming majority of a vast population are agreed.

With us Sunday is a day of rest even to those to whom a different day is holy as a matter of creed.

WOULD DOOM SUNDAYS

Shatter this general recognition by sundering the Christian churches into two great opposing camps on the question of their holy day, and how long would a single day continue to be regarded by all the people as a day apart and entitled to especial reverence?

I think it goes almost without saying that the large-scale observance of dual Sundays would mean the final observance of no Sunday at all.

Let us examine the calendar "reformers'" plan in detail. Briefly, the proposal is this.

Beginning with 1933, when the first day of January and the first day of the week, Sunday, would coincide, the reformers would initiate a year of thirteen 28-day months, plus one additional day, to make up the full annual quota of 365.

This 365th day is to be added as the last of the year—a part of no week and of no month, or it would upset the exact coordination of all week days with their invariably corresponding days of the month—a vital principle of the reformers' scheme.

THE 365TH DAY BECOMES A CIPHER

A zero day! a lost day! Into each fourth year (leap year) an additional "skip day" is to be inserted, between June and Sol—a day, like the annually recurring 365th day of the year, to be ignored in the proposed new calendar's count of days—and yet to be allowed for in point of time, in conformity with the commercially inconvenient but nevertheless unalterable length of the solar year.

What follows? Under the new system, day succeeds day in normal sequence up to and including the 364th, but the 365th is a cipher—no day at all in the record of the "reformed" calendar. This 365th day, in its place at the end of the initial "reformed year," is, in fact, Sunday. We may safely assume that all strictly orthodox Christians would observe it accordingly. To these orthodox folks the following day would be Monday, but Sunday to those who have accepted the reformed method as their new rule. Yet they can hardly expect their fellow Christians, who have observed the preceding day, to observe a second Sabbath with them. The same confusion would prevail throughout the year. During the ensuing year the official Saturday would be Sunday to the orthodox; the next year Friday; the next Thursday, and so on, with additional complications resulting from the quadrennial mid-year "skip day."

ULTIMATELY THE SUNDAYS WOULD COINCIDE

Ultimately the orthodox Sunday would retrogress through the week until it and the official Sunday fall upon the same day, but other dates would have become almost hopelessly jumbled in the meantime, and even this coincidence of the two Sundays would continue but a year, when the orthodox holy day's backward movement toward the official week's beginning is resumed. The situation is hard to understand, as described. In practice it would be abundantly worse.

The reformers contend that their plan's uniformity would be of untold commercial advantage. The business statistician would be able to compare his figures for any desired month with the figures for any other month in any other year in the full certainty that the pair of months are identical in every respect.

QUESTION OF ENFORCEMENT

This theory might be sound if the statistician could enforce the adoption of his reformed calendar upon those who, as a matter of religious conviction, may prefer to adhere to the holy day of their fathers—which, however, of course, he can not do, no matter how effective he may make it in civil law. His records can scarcely be simplified by the addition to his problem of one or two or three weekly "floating Sundays."

Aside from the religious difficulty, it is an open question as to how well the public would be satisfied with the complete dislocation of the world chronology of all historic events—with the confusion of all dates, anniversaries, Independence Days and other occasions, past and future, beyond the power of anyone but an expert mathematician ever to determine exactly again.

Suffice it to say that the experiment was tried in the early days of the French Revolution—largely with the deliberate intent of breaking with the past—and that the "reformed calendar" of that time survived but a few months, so cumbersome and inconvenient did it prove.

More to the point, as a problem in practical affairs, is the fact that a new interpretation of every outstanding bit of commercial paper and legal document, in which the time element is involved, must accompany the proposed calendar change.

THE REFORMERS' PROGRAM

A congressional resolution—already pending—requesting the President to take action toward an international conference! The conference itself, under the League of Nations' direction! The adoption of a definite plan and of a date for putting it into effect!

Such is the "reformers'" program.

And then, as expressed in a booklet, "Do We Need Calendar Reform?" by George Eastman, the scheme's chief American proponent, nothing would remain but "the ratifying legislation in the various countries."

Mr. Eastman adds:

Such legislation, which would be of a very simple nature, would take care of the changes in dates of holidays, the maturity dates of contracts, and other legal matters.

It does not look so simple to the League of Nations.

According to a report of the league's special committee of inquiry into the reform of the calendar:

No reform can be effected without the consent of all, or almost all, the important bodies interested, and these cover a wide range—religious, administrative, economic, and scientific, for example. It rests with public opinion to judge of the merits and the practicability of each of these groups of systems. The committee does not believe that it is as yet possible to obtain sufficiently definite statements of the final views of those interested.

HAS GOVERNMENT THE POWER?

Also "legal matters," as perhaps Mr. Eastman overlooks, are matters for the individual 48 States. It is exceedingly doubtful whether or not the Federal Government has the power to commit them to such a revision of their own laws as would be necessitated by "calendar reform" along the lines proposed.

In short, the issue clearly becomes constitutional.

It is highly improbable that a mere congressional ratification of a "calendar reform" program, requiring so radical a readjustment as the one we are now being urged to adopt, would stand the Supreme Court test.

A constitutional amendment would seem imperative.

Calendar simplification perhaps is desirable—but not at the sacrifice of a literal tossing out of days.

The end could be attained by means of a year of thirteen 28-day months, with an accumulation of the odd three hundred and sixty-fifth days until, at the end of each twenty-third yearly period, enough of them would be available, including the leap-year surplussage, to add a fourteenth month to that year, thus bringing the solar starting point again back to standard.

RESTS WITH PUBLIC OPINION

On such a basis there would be a slight shifting of the seasons during the 23 yearly intervals, it is true, but it would not be considerable, and the continuity of the count of days, at all events, would not be interrupted, as contemplated in the so-called Eastman plan which we are being urged to adopt now.

In the last analysis, as the League of Nations committee justly says, "It rests with public opinion to judge."

We have heard from the "experts" at length.

It is time that we heard from the public before attempting, at the instance of a few commercial statisticians, to thrust so radical a change upon the country and upon the world.

Yes, Mr. Speaker, I insist that public opinion be considered in this important move for if it is considered no rash step will be taken. By public opinion I do not mean casual or flippant remarks, such as are easily passed concerning a new calendar. A well-known columnist insists that the new 13-month calendar idea will surely fail, because "what we need is fewer firsts of the month rather than more." The truth of that situation does not detract from its humor. People do hate bills.

CALENDAR CHANGE IN CHINA CAUSES FUROR

Nor do I rely for public opinion upon the opposition which will be offered to any change in the calendar such as has been faced in countries like China and even Russia. Yet this public opinion of hundreds of millions of people must be considered, because a change in the calendar is a very vital matter. Only recently the Government of China changed the calendar to the one commonly known among us and the natives are said to be having a terrible time. The lunar calendar which has 12 months but differs somewhat from ours has been used in former centuries. The Chinese Government insists on adopting our western calendar in order to have the same chronology in China that is used now by civilized nations throughout the world.

That is reasonable. But because of the change in reckoning the months there has resulted a dreadful mix up in birthdays and other festivals. Birthdays are very important in China, and the natives do not see how they are ever going to know by the new calendar when they were born and celebrate their anniversaries properly.

They can doubtless learn that in time. And then just as they have got it all worked out the proposal for the 13-month calendar will confront them and they will again be bewildered and upset.

Mr. Speaker, you may be interested in a very important demonstration almost before our eyes as to the effect which a change of calendar has upon great populations.

Popular demonstrations against adoption of the Gregorian calendar, which would mean observance of Easter on March 31 this year instead of May 5, took place at several places in Rumania.

PEASANTS UP IN ARMS

In Bucharest groups of angry churchgoers gathered in front of the patriarch's palace and demanded the return of the old Byzantine calendar. In Bessarabia unlettered but devout peasants charged that the Government had deliberately changed the date of Easter to March 31, because that day coincides with the Jewish Passover. In many Bessarabian towns the peasants threatened to boycott the church if the new calendar was enforced.

There was some concern expressed in Cabinet circles, members of the Government fearing that the outbursts might assume a violent form. Julia Maniu, Prime Minister, who is seeking to bring Rumania into harmony with western Europe in every possible way, has decided to let the Holy Synod and the churches fight out the dispute.

The Synod in Bucharest held that it must enforce the new calendar. It took the ground that a decision it had formally made was not revisable.

Some of the ecclesiastical authorities, including the Bishop of Bessarabia, fear that the situation may lead to an open schism in the Rumanian national church.

Rumania is not darkest Africa but an important member of the European family of nations, and if such difficulties are faced there with a minor change of only one festival, just picture to yourself what utter confusion would occur and what outbreaks and schisms might appear if a violent and radical change such as the proposed 13-month calendar were forced upon that and other nations.

WILBUR WARNED OF CHANGE

Former Secretary Curtis Wilbur, of the Navy Department, fully realized how serious any change of the calendar might be when he declared on July 8, 1924—

Whatever changes might be made in the calendar should be delayed for several years after adoption in order that the labor of preparing data for the ephemeris and nautical almanac, which data fix predicted positions of heavenly bodies years in advance of their application, shall not be lost, and that the labor and expense of revision and recalculation shall be avoided.

THIS IS THE YEAR 1933—NOT 1929!

Mr. Speaker, the difficulty of calendar change has been realized for many years. If it had not been for the very apparent complications involved, another change in the calendar—a very

simple one—would have been made long ago. I refer to the fact that all scientific authorities know that this is not the year 1929 but the year of 1933 or 1934! Christian scholars and scientific students know now, and have known for a long time, that Jesus was born, not in the year we call 1 A. D. but four or five years earlier. Yet why has there been no attempt to change our calendar so that this will be the year 1933? I believe you will agree that it is because authorities have foreseen the great difficulties that would be faced in the revision of so many dates, anniversaries, celebrations, legal documents, and important festivals. No effort has been made to adjust the date of the Christian era because of the inconvenience that would necessarily follow.

This is proof positive of the fact that calendar changes are very serious matters. Remember that this change would be a minor one that would not affect anything but the name and number of the year. Picture how much more involved the situation would become if the months, days, weeks were affected, and in addition a "blank day" were piled on the top of the confusion.

AUTHORITIES DIFFER

When I mentioned this mistake in the year of the Christian era to a number of my friends and colleagues they thought I was exaggerating or stating an unfounded fact. Therefore, Mr. Speaker, I will refer anyone who is in doubt as to the authenticity of my statement to the most reliable sources on Christian history and fact.

From Haydn's Dictionary of Dates and Universal Information, page 54:

Anno Domini, A. D., the year of Our Lord, of Grace, of the Incarnation, of the Circumcision, and the Crucifixion. The Christian era commenced 1 Jan. in the middle of the 4th year of the 194th Olympiad, the 753rd year of the building of Rome, and in 4714 of the Julian period. This era was invented by a monk, Dionysius Exiguus, about 532. It was introduced into Italy in the 6th century, and ordered to be used by bishops by the council of Chelsea, in 816, but was not generally employed for several centuries. Charles III, of Germany, was the first who added "in the year of our Lord" to his reign in 879. It is held that Christ was probably born in the year 4 or 5.

International Encyclopedia, volume 12, page 659:

Jesus was born in the 6th or 7th year before the Christian Era toward the close of the Reign of Herod the Great.

Encyclopedia Americana, volume 16, page 41, column 2, near bottom:

The date of his [Jesus] birth can not be given with certainty as to day, month, or year. Since it must be somewhat preceded the death of Herod (April, 4 B. C.) it probably occurred some time in the year 5 B. C. (possibly 6).

International Standard Bible Encyclopedia, page 1628:

The birth of Jesus may be placed with probability in the latter part of B. C., the ordinary dating of the commencement of the Christian era, being thus, as is generally recognized, four years too late.

Our whole calendar is therefore wrong; and yet no one has attempted to correct this error, because it would bring about unnecessary confusion. The same applies to the whole effort of calendar reform, except that the difficulties are magnified a hundred times.

KANSAS SITUATION

The Members of the House will be interested in the very singular fact that the Legislature of the State of Kansas was in a peculiar position at the beginning of this year and that the situation has some bearing on the 13-month calendar we are now discussing. In fact, some people have urged as an argument in favor of universal adoption of the 13-month year the dilemma in which Kansas found itself on January 1 last.

The constitution of Kansas provides that the legislature shall assemble on the second Tuesday in January and that the governor shall be inaugurated on the second Monday in January, intending to have the legislature assemble the day after the governor is sworn in. But January 1, 1929, falls on Tuesday, so the second Tuesday in the month is January 8; but the first Monday is January 7 and the second Monday does not arrive until January 14. Thus the legislature would be in session six days before the governor was inaugurated.

Therefore, say some, let us have a 13-month year, in which such things can not happen!

The editor of the Baltimore Sun made a very interesting comment on the suggestion that we ought to have a 13-month year in order to prevent the recurrence of such mishaps.

But why? If some maker of the Kansas constitution had had a pencil and a piece of paper he could have figured out in a very few minutes the inevitability of such happenings.

To make the whole world change its calendar because Kansas can't perform simple calculations seems a great deal for Kansas to ask.

WOULD WORK HARM TO MANY

All kinds of arguments have been offered in favor of the 13-month calendar, running from the ridiculous to the sublime. We, who oppose the innovation and who claim that there is no great public demand for so serious and radical a transformation, could point out scores of reasons why the 13-month calendar would work to the disadvantage and harm of many individuals and many large groups.

I wonder, Mr. Speaker, whether the proponents of the 13-month plan realize that under their scheme public-utility corporations would be compelled to have meters read and bills rendered thirteen times a year instead of twelve. This is no small matter, for it would add 8 per cent to the cost of this single item and every business man knows that 8 per cent is a margin not to be disregarded. Do they realize the mounting cost of printing magazines and the additional costs of advertisements which would inevitably result because of the necessity of publishing monthly magazines thirteen times a year instead of twelve? This one item alone would mean millions of dollars of added expense to the general public, and yet the defenders of the 13-month plan claim the 13-month calendar would bring economy into business.

RENT THIRTEEN TIMES A YEAR

Rent payers would note the disadvantage of the new plan very quickly, for they would have to pay the cost of their homes or apartments thirteen times a year. Of course, the proponents of the plan claim salaries would be adjusted accordingly, but I know very well that salaries are slow to follow when the cost of living mounts. Here too, there will be the added cost of making 13 rent collections instead of 12.

Mr. Speaker, has it been brought to the attention of those who favor the change of our calendar that if their plan were accepted it would become necessary to change every textbook, every encyclopedia, every record, and all histories? The cost would run to hundreds of millions of dollars. Where, I ask, is the corresponding economy that the advocates of this plan boast about?

We must also bear in mind the question of long-term leases and contracts that are in existence at the present time. You will agree with me, if you consider this matter from a legal standpoint, that it taxes the imagination to conceive how tremendous the amount of litigation will be when these leases and contracts are challenged because of the change of calendar dates.

LEASES WOULD BE INVALIDATED

Real estate leases would be invalidated on a wholesale scale. Throughout the country generally a form of lease known as "ground lease," or "99-year lease," is very prevalent. In practically all of these instruments, the rental is reserved on a monthly payment basis, and the entire amount due for the full period of the lease lumped under a direct promise of the lessee to pay that amount, but in monthly installments.

The courts would indeed be confronted with a herculean task in construing these leases. If the courts hold that the leases were executed while the old calendar was in force and with it in mind, the new calendar will be entirely disregarded so far as the terms of the lease are concerned.

Under this construction the parties to the lease and their successors will be required to keep alive for nearly a hundred years an anniversary date of the old calendar so as to make payments in accordance therewith. The practical effect, therefore, is to nullify the new calendar as a working basis for time computation.

AMBIGUITY WOULD ARISE IN LEASES

On the other hand, if the courts should hold that these leases must be made to conform to the legislative enactment establishing the new calendar, then a patent ambiguity will arise upon the faces of the leases for the total amount of rent so calculated on a 12-months-to-the-year basis, and the addition of an extra month will make two clauses of the lease utterly irreconcilable.

If it is held that the provision requiring a definite amount to be paid each month prevails over the total amount stated in the lease, then it must follow that the law creating the new calendar is unconstitutional for it violates the obligation of contract and imposes upon the lessee a higher rental than he had agreed to pay.

Employment contracts, and in fact all contracts under which compensation or payment is now fixed on a monthly basis, would be seriously jeopardized by the new calendar and their validity brought into serious question.

COURTS WOULD BE SWAMPED

A very serious legal question would arise over the application of the various statutes of limitation. In most cases the law requires that an action must be filed in a given number of years after its accrual, but if the cause of action accrued under the old calendar, who could say just when it was barred under the new? Verily, the courts will have a prodigious task to fit this calendar into the fabric of our social organization.

The proponents of the Eastman calendar argue that it has economic value through the stabilization of monthly payments. But this so-called advantage is theoretical rather than actual. Suppose February is a short month and March a long one. Do not the two equalize each other?

Then, too, there are the trusts and investments and foundations which have been tied up legally with stipulated dates and length of terms that would become too involved for unraveling. I could speak to you for hours about the legal complications and the possible litigation which would follow, were the 13-month calendar adopted.

WORKS BOTH WAYS

If the employer must pay the same wage for 28 days in February that he does for 31 days in March, then it is equally true that he may lease his land for the same amount for the short month as for the long one. Throughout the year the inequality in the months' length equalizes itself, and no one is the loser.

On the other hand, very serious economic consequences would result from adoption of the new calendar. Employers would be quick to cut wages of persons employed on a monthly basis, arguing that the new wage should be not more than twelve-thirteenths of the old, but landlords would be very slow to make a similar reduction in rent, and the monthly wage earner would be indeed between two millstones, with a lessened income and an increased living expense. Other and far-reaching economic upheavals would result.

Furthermore, suppose that some or all the European countries do not adopt the new calendar. Picture the confusion which would result in attempting to reconcile June 17 under the old calendar abroad with June 28 in the United States, bearing in mind that there would be no definite number of days between the two dates but that they would vary for every month in the year and for every day in every month.

WHY NOT ADOPT THE METRIC SYSTEM?

Again, let me ask why the calendar must needs receive this drastic overhauling at this time? If some reform is needed, why not direct the attention of the Congress to our obsolete method of weights and measures, which could be replaced by the metric system, now in almost universal use abroad, and which would greatly aid our manufacturers in supplying products to countries where that system is in vogue? There would be a change fraught with no sentimental disadvantages and would result in great economic good. In any event it seems certain that the calendar which has stood in its present form for over 150 years and in substantially its present form for nearly 500 years should not be torn apart to achieve some doubtful advantage.

The advocates of the Eastman plan are constantly speaking of the economic advantages and scientific benefits of the new proposal. I, on the other hand, see additional economic disadvantages and even stumbling blocks placed in the way of bookkeeping and accounting. Remember that they point out that "all months have the same number of working days, Saturdays, and Sundays, and are directly comparable," also "each month has the same number of whole weeks. Fractions of the month ends are eliminated."

NO BOON TO BOOKKEEPING

Mr. Speaker, almost every business enterprise is accustomed to making reports either semiannually, quarterly, or every two or four months. I am sure you have already noticed that the figure 13 is not divisible by 2, 3, 4, or 6. Our 12-month plan provides for a very simple method of reporting every 2, 3, 4, or 6 months, because 12 is divisible by each of these numbers. This is an important item and can not be waved aside as a mere technicality. They are arguing in favor of "better accounting methods" and are adopting something which will immediately trap them in every attempt at better accounting.

Not only is it impossible to divide a 13-month year into quarters of even months, but it can not possibly be divided into quarters containing a whole number of weeks. This is even more serious than the difficulty of monthly divisions. I can not see any way that the proponents of the plan can argue against this unsurmountable difficulty in bookkeeping, and I challenge them to point out an efficient way of rendering a quarterly or semi-annual report such as can be rendered under our present schedule.

MAKES BUSINESS MORE COMPLICATED

Likewise, instead of making bookkeeping more efficient and decreasing the amount necessary, the new plan would make necessary 13 business closings instead of 12, involving increased bookkeeping in every single enterprise.

The advocates of the Eastman plan are seeking to make business more efficient, and yet if their plan were adopted there would be more confusion in business than ever before. There would always be the necessity of comparing the 13-month year with the 12-month year, which would be extremely complicated. In general, a greater number of adjustments in comparing past statistics and dates than would be required in the 12-month system under which we live.

SUPERSTITION OF "13" DISREGARDED

You notice, Mr. Speaker, that I pay no attention to the fact that the new calendar is based on the number "13," for I disregard completely the superstition surrounding that number. Many scientists who favor the 13-month calendar have attempted to belittle our opposition to their plan by maintaining that this opposition is based on superstition. I believe that the vast majority of those who oppose the calendar change are too intelligent to allow superstition to stand in the way of progress, if it could be proven that the change would really benefit the world. Neither am I horrified by the thought that the 13-month plan provides that every month shall have a "Friday, the 13th." Friday, the 13th, has no terrors for me, and I do not care to use such arguments in the defense of our attitude. By the same token, I object to having the proponents of the plan attribute our opposition to fear of change or superstition. I am giving you real reasons and pointing out actual disadvantages which I can now picture as I consider the possible workings of the new plan as proposed in the Eastman calendar.

Mr. Speaker, I mentioned before that the proposed calendar would cause great confusion and involve much unhappiness by eliminating sacred and personal anniversaries. Permit me to elucidate or enlarge on this thought.

It would eliminate May 30, Memorial Day, which now has nation-wide recognition as a day for reverent remembrance, depriving it of much of its significance.

ALL ANNIVERSARIES JUMBLED

The birthday anniversary of at least 10,328,000 American citizens would be entirely lost. This figure is derived by assuming the population of the United States to be 130,000,000, of which number approximately 356,140 have their birthday anniversaries on each day of the calendar year. To lop off 29 of these calendar days—that is, the 29th to the 31st of every month—would deprive more than 10,000,000 Americans of their birthday anniversaries.

A corresponding number of our citizens would lose other treasured days, such as wedding anniversaries and the anniversaries of the death of loved ones.

Every other important date, including all our holidays, would be rendered inaccurate, because, for example, June 28 on the new calendar is not an anniversary of June 28 on the old calendar, but the anniversary of a date some 10 or 11 days earlier.

The above reasons, which may be generally classed as sentimental, are, nevertheless, of tremendous importance when it is remembered how powerful an influence sentiment is in the lives of our people. To tear away from these millions the influence which they have cherished and observed through many generations would be a highly dangerous test of the strength of our social fabric.

The matter which I am placing before you has had a very interesting history. The question of calendar reform has come up dozens of times in different ages and lands, but what we are most concerned with is the most recent manifestation of interest in changing the form of our calendar.

COTSWORTH FATHER OF PLAN

I refer to the consideration of this problem by the League of Nations' committee for communications and transit since 1922. The attention of the league was called to this ever-present problem through the original efforts of Mr. Moses B. Cotsworth, who may be called the modern father of calendar reform. He is the outstanding man in our times to specialize in this subject and came to be interested in it through his connection with a large British railway company where he had as one of his tasks the explaining of the "increases and the decreases and the net earnings of the company each month." Mr. Cotsworth claims he found great difficulty in making adjustments for the irregular number of days in the month and pointed out that the variation and the number of week days in the month had a particular ill effect on the railway business, because of the light freight traffic handled over week-ends. Thus Cotsworth was led to study the whole question of calendars. He gradually received recognition by various scientific bodies. In 1909 he formally set forth, in a paper read before the Royal Society of Canada, his specific pro-

posal for calendar reform. It is his proposal that we have been discussing, although it has more recently been commonly known as the Eastman plan, because of the interest which Mr. George Eastman, of Rochester, has taken in the 13-month calendar.

Mr. Cotsworth's plan obtained increasing support until the World War forced an indefinite postponement of the whole question. Independent of Mr. Cotsworth, other men and organizations were working on the question. In 1922 the Chamber of Commerce of the United States and the American section of the International Chamber of Commerce gave formal consideration to the question of calendar simplification. The result of this action was that the League of Nations was asked to take up the matter. The League of Nations, in 1922, appointed a committee of inquiry composed of representatives appointed by the great Roman Catholic, Eastern Orthodox, and Protestant religious authorities, astronomers, and the International Chamber of Commerce, representing business organizations of the world.

ONE HUNDRED AND EIGHTY-FIVE CALENDAR PLANS RECEIVED

A large number of schemes were received for reforming the calendar, totaling approximately 185, which came from 33 different nations. After obtaining opinions from various governments and organizations, the committee concluded that one of its duties was to eliminate all schemes which were impracticable, judged by their possible acceptance by the public. After this elimination there remained just two groups of reform which were to be brought to the attention of the public. How interesting is the fact that when the committee sent thousands of inquiries to persons and organizations throughout the world, the replies showed that although there was some interest in the calendar reform, nevertheless, public opinion was not prepared for a serious change. In fact, many letters were received which displayed little knowledge of the different changes proposed or of universal application. It has been noticed that up to now most of the propaganda has been by organizations interested in a particular scheme to the exclusion of all others. Just as the Eastman organization is backing the 13-month plan of 28 days each, so another powerful group is backing the 12-month plan of alternating 30 and 31 day months. I call your attention to the fact that both of these leading plans for calendar reform include provision for a blank day.

Mr. Speaker, I do not care to burden you with many elements of the report of the League of Nations, but I certainly feel it is my duty to call your particular attention to a number of replies from important governments.

GERMANY SEES NO BENEFIT

For instance, Germany replied to the League of Nations' committee as follows:

The German Government can not agree that the general public would experience any essential benefits if the dates fell on the same day of the week every year. The strict correspondence of the days of the week with the dates of the month would involve disadvantages from the legal and economic points of view and also for history, since it would make it impossible to deduce the unknown year of an event from the date of the month and day of the week in which it was known to have occurred.

It is a comparatively simple matter to make the calendar quarters as far as possible equal. All that is required is to dock off a day from August and tack it on to February.

Another interesting reply came from India:

The Government of India will have to consider each of these proposed changes so far as it would affect India. The Christians are a very small minority—2,000,000 out of 340,000,000. * * * It is in the last degree improbable that the communities in India will ever adopt such drastic changes, involving the giving up of a luna-solar calendar based on the ancient systems of astronomy and indissolubly tied up with the Hindu religion. * * *

The fixation of week days and yearly blank days will equally fail. The Indian week day is the only division of time common to the Indian and European modes of reckoning; and as the Indian calendar can not change its week days unless it suffers total annihilation, there will be hopeless confusion if the day called "Sunday" in English continues to be called, as now, Monday in the Indian languages. * * *

The chief value of the week day is chronological—i. e., it enables us to verify a date. If we know that an event happened on Sunday, January 1, in one of the years 1913 or 1923, we know ipso facto (or by almanac tables) that the year was 1922. "To verify a date" means to show that all its elements—week day, month, and month day—are true in one particular year out of several years. We can ordinarily verify a day by distinguishing one year from six others in its neighborhood with the help of the week day; whereas in the Indian calendar the week day may enable the chronologist to pick 1 year out of 400. Even the moderate amount of verification possible at present in the European calendar with the help of the week day will cease if January 1 is always Sunday.

LATVIA'S VIEWPOINT

A reply from the Latvian Government contained these paragraphs:

As to the religious authorities, the Protestant Church objects to the introduction of blank days on the ground that the break in the sequence of the weeks would shift the position of Sunday. They will, however, accept the point of view which the Protestant ecclesiastical authorities of other countries may adopt.

The Netherlands reply includes this one short statement on the religious aspect:

The arguments put forward against this suggestion [of a blank day] are mainly of a religious character. Certain Calvinist communities and the Israelites consider that this reform would run counter to the religious commandment in respect of the weekly day of rest.

RUMANIA'S OBJECTION

The Rumanian Government in its reply inclosed the opinion of the chief metropolitan of the Rumanian Orthodox Church, who declared regarding the blank day:

As regards the additional days outside the 52 weeks a break in the continuity of the cycle of weeks would be regarded as inadmissible by the Rumanian Orthodox Church. It considers that the extra days should form an additional week which should be added to the year at the proper intervals.

Mr. Speaker, I now come to one of the most interesting and vital bits of testimony which can be adduced to show how significant and weighty the whole question is. I will call your attention to the comment of astronomers from various important capitals of the world.

When the League of Nations committee on calendar simplification sent the letter of inquiry to the member nations asking for comments and suggestions it was quite natural for some of the governments to refer this letter to their astronomers. These scientists were, of course, aware of the blank-day feature that would be considered by the league's committee and how this blank day would inevitably affect the cycle of the week. In addition, therefore, to commenting on the general features of the proposed change, certain of the astronomers discussed specifically the question of breaking the weekly cycle.

HALLOWED BY LONG USE

I hope you will bear with me as I quote from their remarks on this point, for I know you will find them very significant. They are incorporated in the official Government replies to the league committee inquiries which were published on August 12, 1926, in an official League of Nations document entitled "Report on the Reform of the Calendar, Submitted to the Advisory and Technical Committee for Communications and Transit of the League of Nations by the Special Committee of Inquiry into the Reform of the Calendar."

The reply from the Government of Finland incorporated the following observation by one of its astronomers:

The reform would break the division of the week which has been followed for thousands of years, and therefore has been hallowed by immemorial use. (M. Anders Denner, formerly professor of astronomy at the University of Helsingfors, p. 51.)

FRENCH STRESS CONTINUITY OF WEEK

The Government of France included the following statements by two of its astronomers:

One essential point is the continuity of the week. The majority of the members of the Office of Longitude considered that the reform of the calendar should not be based on the breaking of this continuity. They considered that it would be highly undesirable to interrupt a continuity which has existed for so many centuries. (M. Emile Picard, permanent secretary of the Academy of Science (France), president of the Office of Longitude, p. 51.)

I have always hesitated to suggest breaking the continuity of the week, which is without a doubt the most ancient scientific institution bequeathed to us by antiquity. (M. Edouard Baillaud, director of the Paris Observatory, p. 52.)

THE PORTUGUESE REPLY

The Government of Portugal included in its reply to the league this observation by its chief astronomer:

It is very inadvisable to interrupt by means of blank days the absolute continuity of the weeks—the only guaranty in the past, present, and future of an efficient control of chronological facts. (Frederico Oom, director of the Astronomical Observatory of Lisbon, p. 74.)

In the same category with these is the statement of Prof. D. Egnitis, director of the Observatory of Athens, who was a member of the League of Nations calendar committee, as appointee of the ecumenical patriarch of Constantinople. This quotation is found in an extended article by Professor Egnitis,

which was introduced by Dr. C. F. Marvin into the record at the hearings of our House Committee on Foreign Affairs:

The breaking of the continuity of the week, which has crossed the centuries, and all known calendars, still intact, and the universal use of this unit in the measurement of time, are the reasons that oppose this change of the calendar.

OPPOSED ON SCIENTIFIC GROUNDS

Mr. Speaker, these utterances have peculiar weight, not only because they come from astronomers but because they are made by these men in connection with a plan for breaking the weekly cycle. These scientists are offering their criticism not on religious but on scientific grounds, and their objection to breaking the weekly cycle takes on added force when it is known that virtually all of these men are really desirous of calendar revision, so desirous, indeed, that some of them are willing to surrender the confessedly great advantages of a fixed weekly cycle in exchange for certain advantages which they believe would accrue from calendar revision. In other words, their desire for calendar reform and the personal willingness of many of them to surrender the week in favor of general reform, does not in any way cause them to minimize the importance of the perpetuity of the weekly cycle from time immemorial.

Now, Mr. Speaker, may I draw your notice to the fact that the Foreign Affairs Committee of this House also heard a number of witnesses of that type and may I tell you something about their testimony?

SCIENTISTS DO NOT ALWAYS AGREE

Of the scientific men who spoke in behalf of the resolution, there were such men as Dr. George K. Burgess, Director of the Federal Bureau of Standards; Dr. W. S. Eichelberger, of the Naval Observatory, who is Director of the Nautical Almanac; and Dr. C. F. Marvin, Chief of the United States Weather Bureau. These men made their appeal on the point that the proposed change would aid greatly in the keeping of accurate comparative records.

When a member of the Academy of Sciences was on the stand Representative Cooper asked him to give a definite example of how the present calendar works a handicap on science. "You scientific men who differ anywhere from fifteen to sixty million years as to the age of some fossil bones would surely not be troubled over a little matter like calendar change, would you?" my colleague inquired. "It is not really quite that bad, is it?" the scientist laughingly replied. But the committee member was not so easily stopped. "Right out in my part of the country," he declared, "just that very thing happened when some dinosaur bones were dug up. One scientist said they were 15,000,000, and another came along and said they were 60,000,000 years old."

WEEKLY CYCLE INTACT

I asked Doctor Eichelberger whether he knew of any change in the calendar or in the reckoning of time from the days of the Egyptians down to our present age that has affected in any way the free-running week or caused a change in the days of the week. To this the learned doctor answered simply, "No." A few moments later another committee member asked almost identically the same question, for the point was obviously vital to the whole argument being set forth by the opposition. A third committee member restated the question by inquiring whether our present Sunday is the lineal descendant, in cycles of seven, from the Sunday of the Resurrection. Before the doctor had time to reply, another member said: "Would not this follow from the previous statement that there has been no time lost and that the week has not been broken?" To this the doctor answered simply, "Yes."

When Doctor Marvin was testifying he was asked whether he knew of any change in the reckoning of time and of calendars that has affected the free-running week and the order of the days as we now have them. He replied that his definite knowledge of the subject went back only as far as the early part of the fourth century, when the Roman Empire adopted the Jewish, or Christian week, as he described it, and that from that time onward he did not know of any change in calendars or in time reckoning that had affected the order of the days of the week as we now have them.

THE JEWISH CALENDAR

Well, then, Mr. Speaker, let me give you the complete story and all of the facts concerning the early Jewish calendar.

The study of the Jewish calendar is important, not only for students of history and chronology, but also for students of religion—Jewish and Christian—since the calendar in question was used in the Jewish Bible and in the time of Jesus. The New Testament states that Jesus was crucified on the eve of Passover, on a Friday, and arose on the third day, which was Sunday. We know also that in the first three centuries of the

present era, the early Christians had not yet separated themselves from the Jews and still kept their festivals according to the Jewish calendar.

The calendar which was used by the early Hebrews was a lunar one. This is indicated by the word for month, which is "Jerach," and is derived from the word "Iorach," which means moon. This calendar was calculated according to the lunar system of the neighbors of the Hebrews, the Phoenicians. The moon's phases are more easily observed by primitive peoples than the positions of the stars, or the still more difficult observations of the equinoxes and solstices.

HEBREW WEEK CALLED "SHEVUA"

Seven days constituted a week and was called "Shevua." The seventh day of the week was called Sabbath and considered holy, as God had rested from the work which He had created in six days. A month consisted of 30 days and was called "Hodesh." The word "Hodesh" means new—referring to the new moon. It is worth while noting that the same inconsistency characterizes our present usage, when we say the months July and August, and so forth. The word "month" is from the root moon, but our months are not based upon the moon. A more striking parallel is to be found in the Russian calendar, a solar one, where the word for month, "mesat," is also the word for moon. The Greek usage is similar. The Jews had no specific names for the months; they called them the first, second, third, and so forth. Neither had they any names for the days of the week, but numbered them, excepting the seventh day, which was called Sabbath.

Take the word "week." This word as found in the Old Testament comes from a root meaning "seven." To reveal the close relationship between these two terms it should be explained that in ancient Hebrew only the consonants were written. The context enabled the reader to know which of the possible variant meanings should be understood in each case. Now, written in this fashion without vowels, the words translated "seven" and "week" are identical. Thus the ancient scribe had to decide by the context whether to give it one pronunciation and read it as "seven," or give it a little different pronunciation and read it as "week," for in the spoken language there was a slight difference in pronunciation.

To be more exact, when the hearer listened to the word as pronounced for "week," there was really conveyed to his mind the thought of "sevenfold" or "a combination of seven," which was the very accurate Hebrew way of describing the "week." Thus embedded in the very roots of that ancient language is found one of the strongest proofs, not only of the existence, but of the great antiquity of a time cycle of seven days.

EIGHT-DAY WEEK A CONTRADICTION

To have spoken to an ancient Hebrew of a week of eight days, for example, would have sounded in his ears like a contradiction of terms, for how could eight be "a combination of seven"? It would have been as inaccurate as for one unacquainted with the English language to speak of a fortnight of 18 days, for the very word fortnight is a contraction of "14 nights." Only by an accommodation of terms could such statements be made. By extension, the word "week" was sometimes understood to mean a combination of seven years, but the context easily revealed when this very logical extension of the term should be understood.

The Scriptures themselves speak of the week long before the giving of the law on Mount Sinai. Laban said to his son-in-law Jacob with regard to Leah, "Fulfill the week of this one." (Gen. xxix, 27.) The history of Jewish customs reveals that this phrase refers to the week of wedding festivities, which were considered a part of the ceremony and which lasted seven days. A comparison with verse 22 shows that the feast had been called, and a comparison with various other scriptures reveals the custom of holding feasts seven days. Thus does the Bible corroborate authoritative statements that the week has been known "from time immemorial."

BASIS OF SEVENTH-DAY OBSERVANCE

The hosts who gathered at Sinai were a people whose ancestor Jacob was well acquainted with the time cycle called the week, and whose very language employed a term meaning "a combination of seven" to describe that cycle. What then would be their most natural conclusion when they listened to the Sabbath commandment of a cycle of seven days—"six days shalt thou labor, but the seventh day is the Sabbath"—"in six days the Lord made heaven and earth, and rested the seventh"?

In the absence of any declaration to the contrary, would they not most obviously conclude that "the seventh day" meant the seventh day of the week, that long-established combination of seven days? To that most natural conclusion Jews everywhere through all the centuries have come.

The solar calendar, which we have discussed previously, was in existence among the Jews before the exile. During their stay in Babylon they became acquainted with another calendar system, the Chaldean, which was a lunar-solar system. In this the month was regulated according to the moon, and the year according to the sun.

JEWS FIND THEIR CALENDAR IMPERFECT

The Jews, after their return from Babylon, perceived that their own calendar was not only a complicated one, requiring the addition of a day every three months, and of 49 days at the end of every 49 years, but also an imperfect one, since the year does not have 365 days, as they first thought, but 365¼. They accordingly changed their calendar to the lunar-solar, in which the month was theoretically one of 29½ days. In practice one month had 29 days and the following 30, and so on. They also introduced names for the months, which they had learned from the Babylonians. The months were no more called by numbers, but by names, like "Nisan," "Iyar," "Sivan," and so forth. These names of the months appear only in the postexilic literature. Whenever the names of the months are given in the Books of Esther and Zachariah, the editors add respectively that this is the first month, the ninth, the twelfth, and so forth. In the same manner, as we have noticed before, when the month of "Ziv" was given in the Book of Kings, the editor adds, "that is, the second month." As "Ziv" was no more known and had to be explained, so in the postexilic period "Nisan" had not as yet come into popular usage, and the editor had to explain by number which month was meant.

INSERTED A SPECIAL MONTH

In order to adjust the lunar months to the solar year, they intercalated from time to time a special month of 30 days. This kept the festivals in the proper season of the year—Passover after the vernal equinox, and Tabernacles after the autumn equinox. Although the ancient Jews kept intact the seven days of the week as they had been in the first week of the creation, they abandoned the idea that the annual holidays should always fall on the same day of the week. They thought it more important to have the annual festivals in the proper seasons of the year. Furthermore, the festival of Shabuot (Weeks), which, according to the Bible, has no fixed date of the month, they arranged on the fiftieth day after the first day of Passover without regard to any special day of the week.

To make this calendar more systematic, they adopted from the Greek usage the 8-cycle system; that is to say, they inserted three months in the course of every eight years. In each seventh year one would have to intercalate a month, thus putting the Jews to the hard necessity of inserting a month in the sabbatical year as well as in the postsabbatical year. They therefore adopted the Greek system, adding a month in the sixth year (which is a presabbatic), in the fourth, and in the second. This is according to the testimony of Julius Africanus and agrees with what we know from the Tannaitic literature about intercalations. They also changed the new year from the spring to the fall. The reasons for this change are, first: All the nations at that time counted their years from the fall. Secondly, by changing the new year to the fall, the Jews, at that time an agricultural people, made the beginning of the sabbatical year, traditionally in the fall, coincide with the beginning of the regular year. As to the Biblical phrase that the month of the Abib—that is, the month of the spring—is the first month, the rabbis interpreted this to mean that the month of the "Abib" ("Nisan") is first in the counting of the months, but that the civil year actually begins with the fall (Tishri).

ADOPTED BY CHRISTIANS

Such was the state of the Jewish calendar during the second commonwealth up to the fourth century. This calendar is that of the New Testament. The festival of Passover which Jesus celebrated and the Pentecost for whose celebration Paul went to Jerusalem, were according to this calendar. The early Christians, in the first three centuries of the present era, kept the festivals according to the same calendar. Passover was observed after the vernal equinox on the full moon, and Pentecost, on the fiftieth day after Passover.

The early Christians, who accepted Sunday as the day of rest instead of Saturday, did not change the order of the days of the week. They merely changed the Sabbath from the seventh day to the first day of the week, or Sunday. Thus Justin Martyr: "On the first day of the week God made the world, and Jesus Christ, our Saviour, on the same day rose from the dead." In the Apostolic Age some Christians observed both the Jewish Sabbath and Sunday, but the order of the week was kept intact by the Jews as well as by the Christians from time immemorial.

I believe I have given sufficient evidence to prove that never before in calendar changes has there been any interruption in the succession of the days of the week. Perhaps I have gone into too great detail on that angle, but I am under the impression that most people are erroneously informed in this regard.

ADVOCATES ANNOYED BY OPPOSITION

At the hearings of the Committee on Foreign Affairs the gentlemen who advocated the adoption of the new calendar were very much annoyed by our opposition and claimed that they could not understand our attitude on the question of a blank day. They seemed to feel that there was nothing unusual about skipping days and they assumed an attitude that we were narrow in our views when we opposed the zero day. There were two arguments in particular which they stressed in trying to tear down our defense of the uninterrupted succession of seven days of the week:

1. The Sabbath can not be kept and has never been kept at the proper time because we live on a round world.

2. Why should you oppose the institution of a blank day when that is just what Moses did in order to adjust the calendar of his time?

Mr. Speaker, it was unusual to hear learned scientists speaking before the committee of losing or gaining a day in travel around the world. They set forth the contention in varied form, and at some length, that the Sabbath commandment can not really be kept under the present calendar, if a person crosses the date line.

THE MINISTERS' DILEMMA

One savant portrayed the situation that would confront two ministers who might journey in opposite directions around the world to attend a church conference at Manila. He pictured the dilemma that he believed would confront them in adjusting their reckoning of days. Another read a long paper entitled "The Wandering Sabbath," in which he brought out the argument that the Sabbath could not be kept at the same identical moment of time in different parts of the world, and therefore why insist so rigorously on maintaining its identity?

A third scientist summed up the case in a nutshell when he declared: "I would like to throw out this thought with regard to the blank day. Why not leave it a blank day and forget it? Everybody that crosses the international date line either adds or loses a day."

Because this "round-world" argument was employed by the calendar proponents at the hearings and because this argument, if allowed to remain unanswered, apparently nullifies the whole protest over the seventh day, we believe it should be examined in some detail.

WHICH SEVENTH DAY IS SABBATH?

Mr. Speaker, we may fittingly introduce our examination of the question with an inquiry as to what the commandment says is the day of the Sabbath. We read that "the seventh day is the Sabbath." The "seventh day" of what? Of the year? Of the month? No; the seventh day of the week. This point is as obvious as when the Sunday observer says, "I keep the first day," meaning the first day of the week. Of course, we are aware that some may possibly quibble over this understanding of the commandment. But the Biblical and historical value of the phrases "first day" and "seventh day," as signifying the first and seventh days of the week, is so overwhelming that we may properly ignore any captious objections. In other words, the man who wishes to obey most literally the Sabbath injunction needs only to make certain which is the seventh day of the week.

With this basic proposition in mind, let us consider now the admissions of the scientists themselves. They testified that they had no knowledge of any changes in calendars throughout the centuries that had in any way affected the reckoning of the days of the week. From this we conclude that right here in Washington, D. C., we can know with confidence the order of the days. In other words, we can know when the seventh day of the week arrives.

EXPLAINING THE CONTRADICTION

But is this true only of Washington? No. Have they kept the true cycle of the weeks out in San Francisco? Most certainly. And if we should travel far across the Pacific and over the Trans-Siberian Railway into Europe, would we find the people there keeping the true cycle of the week unbroken through the centuries? Most assuredly. In short, no matter where we might go, we would find that the people know the weekly cycle, and therefore know when the seventh day of the week comes.

We can travel to any continent, without knowledge of astronomy or meridians and when we reach our destination, we simply inquire of the inhabitants of that place, and they can tell us what day of the week it is.

The fact therefore is clearly established, that the order of the days of the week is known in different parts of the world, and that therefore the seventh day can be known and kept on every part of the globe. The apparent contradiction between this proven fact and the phenomenon of losing or gaining a day in travel, grows out of a double definition of words. Obviously, the difficulty in this particular case revolves around the word "day." We agree with the definition of the scientists that a day is the period of time that elapses during one revolution of the earth upon its axis. The Bible writers describe the day as the period from evening to evening, that is, from sunset to sunset. And what causes the sun to rise and set? The rotation of the earth. There is complete agreement in definition of terms. In fact, the day is one of the most rigidly fixed units of time.

MATTER OF DEFINITION OF WORD

When we speak of losing or gaining a day in travel, we are really giving a new definition of the word. We are defining days, not in terms of the journey of the earth on its axis, but rather in terms of the journey of human beings around the earth, which is quite a different thing. The trouble, of course, grows out of the fact that the traveler moves from the given point at which he began to measure the day. If days be defined in terms of man's journey around the earth, without making allowance for his changing point of measurement, then the most unbelievable possibilities arise.

Let us imagine an airplane capable of traveling a thousand miles an hour. A man starts westward in such a plane at noon Sunday. The sun is always overhead, because he travels westward at the same rate as the sun. Twenty-four hours later—that is, on Monday noon—he reaches again the spot whence he started, and still the sun shines overhead. When he alights from his machine, would he be correct in declaring that it was still Sunday noon?

DAYS CHANGE IN TRAVELING

When a person travels, his days are of abnormal length. If he travels in the same direction as the sun, he can not but lengthen his day, because he keeps the sun in view for a longer period than if he should stay in one spot. And when he had accumulated a number of such abnormally long days, must he not finally drop out and thus apparently lose a day in order to keep his reckoning in harmony with the true order of the days as measured by the rotations of the earth?

For example, the New Yorker who travels westward across the United States finds it necessary to set his watch back one hour on three different occasions in order that the time by his watch shall correspond with the true course of the day. Otherwise his watch will register 3 p. m. when the California sun is only at high noon.

Mr. Speaker, for all practical purposes the sun is quite a rigid and inflexible timepiece, and so is a watch. A watch that registers noon in New York will register noon again 24 hours later, even though in the meantime it may have been transported to Chicago in the traveler's vest pocket. But the sun which found itself over New York at noon on one day is destined to be in that position 24 hours later. The tourist who has reached Chicago must content himself to greet the sun one hour later—on regular schedule.

HIS DAY 25 HOURS LONG

Hence this traveler's day, from noon to the next noon, is 25 hours long. If he immediately whisks himself and his watch another thousand miles westward, he will again find that his timepiece registers noon when the sun is still one hour from noon. Thus his second day's journey is 25 hours long. Pursuing such a course westward at a thousand miles a day will bring the traveler back to his starting place in 24 days—estimating the world's circumference at exactly 24,000 miles, for the sake of the illustration.

But each of his 24 days has been 25 hours long. Therefore in his trip around the world he had accumulated a total of 24 extra hours. If he has not already dropped them an hour at a time, he must finally drop the whole 24 at once, if he wishes to keep his reckoning correct. Now 24 hours equals one day. Therefore he drops a day. But is a moment really stricken from his life on that account?

SCIENTISTS' CONTENTION RIDDLED

Mr. Speaker, when Doctor Marvin contends that the Sabbath can not be kept on a round world because 24 hours must be dropped in circling it westward—or added in encompassing it eastward—he must, if consistent, contend that the Sabbath can not be kept except in one-time belt. And that is exactly what one scientist declared before our committee. He maintained that the ancient Jews, who lived in one-time belt—Palestine—could keep the Sabbath, but that any one living to the east or to west of this one-time belt would not really be keep-

ing the Sabbath, because he would not be observing it at the same identical moment of time.

But narrow though Palestine is, it has some width from east to west. Therefore the Jews on the eastern border must have begun their day before those living on the western shore. Only a few minutes earlier, it is true; but if a few minutes' difference does not interfere with Sabbath observance, why should a few more minutes, or perhaps an hour or two, or more, affect it?

ANCIENT JEWS' TIMEPIECE THE SUN

Furthermore, to speak of the Palestine Jews as dwelling in one-time belt is to transport back to those ancient days a unit of time adjustment that is both arbitrary and modern. Their only timepiece was the sun, and, therefore, only those Jews who lived directly in one line north and south were in the same time belt. To move one step to the east or the west of that given line—but no such line was "given"—would necessitate beginning the day either earlier or later.

Doctor Marvin has invented a difficulty that does not exist. He maintains that the Sabbath can not be kept at the same identical moment of time in different time belts. But neither the Sabbath command, nor the Bible anywhere, speaks of time belts, or of keeping the Sabbath at the same identical moment of time. The Good Book tells us that we should keep the seventh day, and that we should keep it "from evening to evening." Could a man dwelling, for example, in the next time belt west of Palestine, tell when the sun went down on Friday evening?

Mr. Speaker, God does not ask man to base his obedience upon what other men in other parts of the world may be doing.

CAN BE OBSERVED EVERYWHERE

I believe I have answered the question which Doctor Marvin and his associates put before me at the meetings of the Foreign Affairs Committee—"Can the Sabbath be kept at the proper time on this round world?" I am convinced that it can and I feel that it has been properly observed and I do not propose to do anything which will interfere with the proper observance of either the seventh day Sabbath or the Lord's Day Sabbath, according to the wishes of the individual.

I come now to the second of the very significant questions which Doctor Marvin asked of me, when he tried to break down our case in defense of the preservation of the seven-day week, as we have it now. Doctor Marvin asked: "Why should you oppose the institution of a blank day when that is just what Moses did in order to adjust the calendar in his own time?"

Mr. Speaker, this question, too, would have seemed to me amazing and unusual, coming from a man of science, but I was familiar with the idea which he expressed because I had already studied that angle in my investigation of the whole calendar problem. When I heard these scientists speak of "Moses and his extra Sabbath" I knew that they referred to what was rather fully explained in complete pamphlet entitled, "Moses, the Greatest of Calendar Reformers," written by my questioner and critic in conjunction with Moses B. Cotsworth, of whom I spoke before. This booklet was published by the International Fixed Calendar League, which states its object in these words:

ALL OBSERVE SAME DAY IS PLAN

It is the purpose of this pamphlet, first, to show how easily and completely the perpetual Mosaic calendar of the exodus can be reconstructed; and second, to show how very small and unimportant are the differences between it and the proposed 13-month calendar. . . .

As soon as these great truths of modern research become known and understood, conscientious believers in Moses and the Scriptures need not oppose on any grounds, religious or otherwise, the suggested reform of the present unscientific, inconvenient, and unscriptural modern calendars. Rather should the restoration of what is best in the fundamental Scriptural calendar declared through Moses, be welcomed by all (p. 5).

Had that Mosaic calendar been retained, all generations of Jews, Christians, and Mohammedans could have perpetually observed in unity all the commands of Jehovah, in complete yearly rounds of exact anniversary commemorations for all the great religious events, during their ancient united and later separate histories. . . .

Therefore all nations of the world are to be invited by international conference to join in universal observance of the same six days of work, and especially of the same seventh day of rest on fixed yearly dates, as Moses prescribed (pp. 2, 3).

BECOMING TRADITIONALISTS

It is very kind, indeed, of these gentlemen to describe Moses as "the greatest of calendar reformers." All sincere followers of any of our modern religions are happy that they are willing to eulogize him as the author of a calendar which was "nearly perfect." It is interesting to see these men of science go to such ancient sources for strengthening their own cause. They

are suddenly becoming traditionalists, as we are, and I must rejoice on that account.

But, Mr. Speaker, I can not allow the printed challenge of Doctor Marvin to go unanswered, any more than I could permit his earlier question to go without a reply. The questions are fundamental to the case, and I must bring to your attention what I believe is the actual explanation of the Mosaic calendar.

I shall not contest the explanation in this pamphlet concerning the fact that Moses, at the time of the exodus, established a solar calendar of 365 days. While this question is debatable, the results are not vital to the defense of my side. Neither shall I delay my argument by replying to the statement that "the Sabbath was not the seventh day of the week as we understand it to-day, but simply the seventh day after six days of labor," because the pamphlet brings no proof to bear on this point and it is simply a shot in the air.

CLAIM MOSES ORIGINATED BLANK DAY IDEA

The claim put forth in the pamphlet of Marvin and Cotsworth is that the fifth day of the third Hebrew month, Sivan, while reckoned as a day of the month, was not counted as a day of the week. This was the day of Pentecost. It was an "extra Sabbath," similar to the "blank day" of the present proposed calendar, according to their theory. In other words, although the 4th of Sivan was Sabbath, the 5th was not "Sunday," but simply a continuation of the Sabbath of the 4th—a blank day as far as the reckoning of the days of the week is concerned. Now 365 days equal 52 weeks plus 1 day. But this extra day being eliminated from the count of the weeks, made the year really consist of an exact number of weeks. This caused the next year always to begin on the same day of the week as the year before. And, as a result the days of the week always bore the same relationship to the days of the month. Marvin and Cotsworth insist that Moses originated this blank-day principle, and they are simply striving to restore it by proposing that the last Saturday in December be followed by a blank day.

The first point that the authors attempted to make is that the Mosaic calendar was solar, which proves nothing at all.

They claim it proves that it possesses perpetual qualities on that account, but we can point to our present calendar, which is also solar, and show the opposite. However, through the wording of the pamphlet, the reader is led to believe that since the Mosaic calendar was really solar he must be ready to accept everything else stated in the pamphlet! Not only are the arguments of the authors misleading, but even the evidence of outside witnesses is presented to give the impression that they are supporting all the arguments of the pamphlet, whereas some of the authorities quoted back only certain elements.

QUOTES HEBREW SCHOLARS

For instance, Dr. Julian Morgenstern, president of Hebrew Union College, and Prof. W. L. Heidel, famous Semitic scholar, are quoted in support of the solar nature of the ancient Jewish calendar, but they are mentioned together with other writers who support the "blank-day principle instituted by Moses" theory. I am very happy to bring to your notice some correspondence of my friend Mr. F. D. Nichol, of Takoma Park, D. C., with these authorities on the Hebrew calendar. Mr. Nichol wrote in inquiry:

The writers of this pamphlet quote you as one of the authorities in support of the major premise of their thesis, because of your contribution on the calendar of ancient Israel. Your name and the quotations from your work, placed as they are in this pamphlet under the general head, "Some Authorities We Quote," lead the general reader to the impression that your researches warrant the ultimate conclusions to which the writers of the pamphlet come. I wish to inquire whether I would be correct in obtaining this impression. In other words, have your researches led you to believe, as do the writers of this pamphlet, that Moses devised a perpetual calendar that placed the Sabbath in a fixed relationship to the month, necessitating the existence each year of an extra Sabbath.

The reply of Doctor Heidel contained one sentence which you will agree summarizes his whole attitude:

Messrs. Marvin and Cotsworth have quite absolutely misrepresented my views.

DOCTOR MORGENSTERN'S REPLY

Doctor Morgenstern's reply goes into the whole question quite thoroughly and I therefore bring it to your attention in toto:

THE HEBREW UNION COLLEGE,
OFFICE OF THE PRESIDENT,
Cincinnati, Ohio, January 30, 1929.

MY DEAR MR. NICHOL: Replying to yours of the 24th instant, I am very happy to be able to assure you that Messrs. Marvin and Cotsworth have used my name in their propaganda for the new calendar entirely without my authorization and knowledge, and that the quotations from

my article on *The Three Calendars of Ancient Israel* apparently altogether misrepresent the facts with regard to the history of the calendar of ancient Israel which I have been able to establish. * * *

Certainly I did not advance the thesis "that the ancient Jews lived under a fixed or perpetual calendar devised by Moses," which caused the Sabbath always to recur on the same days of the month each year, instead of being an institution related only to the week, as we have it! On the contrary I showed in this article that, at various times in the history of ancient Israel, different calendar systems were employed, that up to approximately 621 B. C. the old Canaanitish calendar, a purely solar calendar, taking cognizance of the days of the solar equinoxes, was employed in ancient Israel. Then from about 621 to a time somewhat later than 400 B. C. another calendar, apparently a lunisolar calendar, was employed, based apparently largely upon some Babylonian model. It apparently took no cognizance whatever of the Sabbath, which continued a weekly institution, falling upon any date in the month, regardless of any considerations other than the Sabbath came every seventh day. At some time after 400 B. C. the calendar at present employed by the Jewish Church, also based upon Babylonian antecedents, was instituted. This also makes no effort to coordinate the Sabbath with any particular days or dates in the month.

HIS ARTICLE MISUNDERSTOOD

I showed likewise that at some time, probably in the third century B. C., an attempt was made to introduce into ancient Israel a calendar similar to that which Mr. Cotsworth is championing, with the year divided into 13 months of 28 days, and with particular attention given to the coincidence of the Sabbath with a particular date in each month, probably the seventh, fourteenth, twenty-first, and twenty-eighth days. This calendar is employed as the basis of reckoning in the books of Jubilees and Enoch, two, pseudographical writings which were never regarded as authoritative. This calendar, however, was never recognized as official by Judaism and never came into actual use. Furthermore, Moses himself had no connection whatsoever with any of these calendars. It is clear therefore, that the above-named gentlemen have either not troubled to read my article carefully, or, if they did, have not understood it or have not wanted to understand it. Certainly, the facts which they state and the conclusions which they drew from them are altogether unwarranted by my article.

I trust that this gives you the information which you desire.

Very sincerely yours,

JULIAN MORGENSTERN, *President.*

NO BASIS FOR THEORY

Need I say more, Mr. Speaker, about the authorities upon which Marvin and Cotsworth rested their case? It seems to me that we have here sufficient evidence to convince anyone that there is absolutely no basis to the theory propounded. I can say to you most emphatically that whatever adjustments, changes, and variations have occurred in the Jewish calendar from the earliest period down, the one central feature always was to maintain the week of seven days without any interruption whatsoever. Moses was not the author of the blank-day principle, and, much as I believe that Moses was a great prophet and a wise man, I am not convinced that he could foresee what some scientific authorities of the nineteenth and twentieth centuries might invent, namely, a "zero day"!

The strongest link in their attempt at proving that Moses skipped a day in order to make the Pentecost come on the Sabbath Day is a text which they quote from our Bible, *Leviticus xxiii: 15, 16, 21:*

Ye shall count unto you from the morrow after the [Passover] Sabbath [the fifteenth of the first month, Abib], from the day that ye brought the sheaf of the wave offering; seven Sabbaths shall there be complete; even unto the morrow after the seventh Sabbath shall ye number fifty days.

Ye shall make proclamation on the selfsame day [that is, on the fiftieth day, Pentecost]; there shall be a holy convocation unto you; ye shall do no servile work.

THE JEWISH INTERPRETATION

The calendar authors understand the term "Sabbath" in this passage to refer always to Sabbath days. Thus they claim that they are placing two Sabbath days together, because "the morrow after the Sabbath" was to be a Sabbath also—Pentecost—an entirely impossible theory.

If you desire to see the Jewish normal interpretation of these verses based on the authorities in past ages and our own time, I refer you to the translation of the Bible issued by the Jewish Publication Society of America:

And ye shall count unto you from the morrow after the day of rest [Sabbath, in Hebrew] from the day that you brought the sheaf of the waving seven weeks shall there be complete; even unto the morrow after the seventh week shall ye number fifty days; and ye shall present a new meal of offering unto the Lord.

This represents a very old controversy. According to the Jewish tradition, the Biblical commandment to offer the omer

(measure of barley) "on the morrow after the Sabbath" was interpreted by the rabbis to refer to Passover, so that it meant that the seven weeks should begin to be counted from the first day after the beginning of Passover. There was an early interpretation that it should begin on the first day after the first Sabbath during the Passover, which would make Pentecost always fall on Sunday. This sectarian view has completely disappeared.

BACKED BY BIBLE SCHOLARS

But what I would point out to you is that even this sectarian view in no way favors the idea of a wandering Sabbath. It rather emphasizes the word "Sabbath" so that it could not be used even for another holiday.

Every scholar of the Bible that I know of has corroborated this statement and I feel certain that it destroys entirely the false claim that Moses skipped a day and changed the regular succession of seven days of the week.

One bit of evidence on this double-Sabbath argument remains to be answered. After declaring that in ancient times the Jews kept such a double Sabbath, the authors add this persuasive claim:

The significant fact remains, that through traditional usage the Jews generally continue to observe two consecutive days at the feast of Pentecost.

In reply we inquire: If at the present time a devout Jew can observe two days at Pentecost without breaking the cycle of the week, why could he not have done so in ancient days?

TWO DAYS OBSERVED BY JEWS; WHY?

The facts are that when the Jews were dispersed from Palestine, they began the custom of keeping two days in connection with each annual Sabbath (festival), excepting Atonement Day, for fear that in their reckoning of time they might have made an error of a day in determining the beginning of a month. (The explanation for the failure to observe the two days in connection with Atonement Day is that it would have necessitated 48 hours of complete fast.) By the time a calendar had been agreed upon by the "Dispersed Jews" throughout the world, during the fourth century A. D.—the custom of celebrating two days for each feast had become so firmly established that it was retained by most Jews. This second day that is kept in connection with each of the annual feasts is described in Hebrew by a phrase which, translated literally, means: "The second day of the holiday observed in lands of exile." The custom has never been followed by the Jews in Palestine, for the simple reason that they had no cause to be uncertain over the reckoning—they were not in exile.

ALL ARGUMENTS ANSWERED

Therefore, for the purposes the authors intended, "the significant fact" of the double Sabbaths now kept by Jews in various lands, has no significance. Instead it has a significance on our side of the argument. The very fact that the reckoning of months presented such difficulties when the Jews moved from Palestine, reveals that absolute confusion into which the Sabbath institution would have been thrown, if it had been related to the months, as this unwarranted theory contends. Only by being wholly free of any calendar could the Sabbath be kept in various lands.

We discover, therefore, from an examination of Jewish history and from a study of the different senses in which the word "Sabbath" may properly be understood, that the arguments built upon *Leviticus xxiii, 15, 16*, have no foundation.

Mr. Speaker, I believe I have disposed of every possible argument which our opponents brought up before the hearings of the Foreign Affairs Committee of Congress. I have even taken up matters which the proponents of the 13-month plan have written about in material not submitted to our committee. My case is complete and I find that there are just a few loose threads that I need gather together to have placed the whole proposition before you from a historic, scientific, and economic viewpoint, not to mention the all-important religious sentiment involved.

THE QUESTION OF THE FIXATION OF EASTER

First of all I do not want to be misunderstood as being in opposition to any calendar change which involves only the fixation of Easter. This is a problem in itself upon which I have nothing to suggest. I take it to be a strictly religious question to be delegated to ecclesiastical authorities of each religion. If these authorities feel that there are numerous disadvantages resulting from a civil or religious point of view in the non-fixity of Easter, it is within their power and right to adjust it in any way that they deem advisable. The claim has been made that because the date of Easter varies at present between March 22 and April 25, over a period of 35 days it brings about complications and displacement of other movable festivals. The fixation of Easter will have no effect at all upon the 7-day

week and need introduce no blank day. Therefore, I can not utter a word of objection to such an effort on the part of religious authorities. Likewise, the matter of Easter will not involve any legal, economic, or religious difficulties and can meet with no objection if the leaders of all denominations can agree upon such a change. Please understand that my opposition to calendar change does not include any change which involves only Easter.

OFFER SUBSTITUTE PLAN

In the second place I would like to call your attention, Mr. Speaker, to the fact that we opponents of the 13-month calendar have offered some compromise suggestions for the reformers. It is possible, we claim, to establish a 13-month-28-day calendar without the zero-day principle.

The substitute proposal is to institute the new plan and, when the 364 days have been finished, and start a new year on the next day, calling it January 1. This will prevent any interference with the correct observance of the sixth-day Sabbath by Mohammedans, seventh-day Sabbath by Jews, and Sabbatarians, or first-day Sabbath by observers of Sunday. Of course, we realize that the year will have lacked one day because the correct solar year has 365 days plus. To overcome this lost day the substitute proposal suggests that we wait until seven such days have been accumulated (in six years or five years) and then add a solid week to the calendar of that year.

In other words, this scheme would provide for five years in succession consisting of 13 months with 28 days in each month, and the sixth year to be made a leap year by the addition of the 7 lost days, or a whole week. This plan would have the advantage of the Eastman calendar without its disadvantage of a blank day. The only interruption to the regular sequence of 28-day months would be once in five or six years.

WHY NOT SAVE UP 28 DAYS

To my mind an even better proposal is the plan whereby these blank days are accumulated until there are a whole month of them. Twenty-eight days would accumulate in 23 years. This means that there would be no interruption in the regularity of the 28-day month calendar, except once in 23 years.

If the proponents of the calendar reform are really in earnest about the advantage that would accrue to the world, they would undertake to have such a calendar put into effect. They would, of course, have to convince the general public of the need for calendar reform and would have to clearly prove the advantages of a 13-month calendar, but at least they would be assured of no opposition from any religious denomination—Protestants, Catholic, Orthodox, Sabbatarian, or Jew. Mr. Speaker, is this not a fair proposal that I am making to the gentlemen who are advocating the need of a change in our calendar?

ITS USE IN BUSINESS NOW

There was one interesting point brought out at our hearings before the Foreign Affairs Committee which I do not believe has been properly emphasized. We heard many representatives of leading business firms in the country expounding the advantages of the 13-month plan. They spoke from experience, for some of them had been using this scheme for 10, 15, or 20 years. We were given to understand that business efficiency was increased tremendously and that for their particular concern the adoption of the 13-month plan meant a great step forward. In almost every case I questioned the witnesses about the practicability of this 13-month plan in conjunction with the present calendar, and I was pleased to learn that after a short period of adjustment all employees were able to conduct their affairs efficiently, although they had a different calendar for the management of the business.

In other words, Mr. Speaker, I learned—and I believe that my colleagues in the committee were also convinced—that it is entirely possible to reap the advantages of this 13-month calendar without upsetting the whole world. My claim therefore is that those firms which see real benefits in the adoption of this scheme should do so. No one will interfere with them.

Mr. Speaker, I sincerely believe that every business man can utilize the 13-month plan without making it necessary to have Congress or State legislatures or the League of Nations foist this new scheme on an unwilling and unprepared world.

"DUTY" TO INDORSE IT

Then again, Mr. Speaker, I must explain my stand in this matter because the claim was repeatedly made at the hearings of our Foreign Affairs Committee that it is the duty of Congress to adopt the resolution I am discussing. It was even suggested that it may be mandatory upon us to do so because, at the Pan American Conference in Habana February 18, 1928, the following resolution was unanimously adopted by the delegates of the

21 nations of that conference: That it be recommended to the countries, members of the Pan American Union, that they each appoint a national committee with a view to studying the proposal relative to the simplification of the calendar, and that they make the necessary preparation in order to participate in an international conference which is the best method of reform.

At the opening hearing of the Foreign Affairs Committee held on Thursday, December 20, 1928, we were reminded that this Pan American conference was duly authorized by a resolution of Congress; that the conference was regarded as one of great importance. The impressive list of American delegates was called to our attention: Hon. Charles Evans Hughes, chairman; Hon. Dwight W. Morrow, ambassador to Mexico; Hon. Henry D. Fletcher, ambassador to Italy; Hon. N. B. Judah, ambassador to Cuba; James Brown Scott; Hon. Oscar W. Underwood; Hon. Morgan J. O'Brien; Ray Wilbur; Dr. Leo S. Rowe.

The members of the Foreign Affairs Committee were told that these delegates of the United States were unanimously in favor of the resolution and that the resolution before our committee was introduced to ratify the action of our delegates at the Habana conference.

NEWS TO MR. HUGHES

Touching on this point, Mr. Speaker, may I quote one of the ranking members of our committee in a statement he made to our committee on Friday, December 21, 1928. I quote my colleague, HAMILTON FISH, of New York, verbatim:

I have heard it stated here both by the introducer and by Mr. Eastman, that one of the main bases of this resolution was the fact that it had been endorsed by the Pan American Conference. I had the pleasure last night to dine at the same time with Mr. Hughes and had the opportunity to talk with him after dinner. Mr. Hughes told me that Mr. Eastman's representatives came to him at the Pan American Conference and wanted him to introduce this resolution. Mr. Hughes told me that he told them that he had other troubles and other matters to discuss and he did not even know that the Pan American Conference had passed this resolution.

I mention this because of the claim by some advocates of the plan that it is the duty of Congress to ratify the action of the Pan American Conference. There is no such "duty" for us. We are free to consider this on its merits.

"PIGS IS PIGS" AUTHOR HAS HIS SAY

My task is done, Mr. Speaker. However, after this long, exhaustive, and serious study of the whole question, I can not resist the temptation of adding just a bit of spice. You might even call it levity, but you will have to admit that it is clever and humorous. You are all familiar with the name of Ellis Parker Butler. He has probably made you laugh in moments when you were seeking amusement and perhaps he has brought home to you a truth or two which was more evident because of his jesting attitude. A few days ago one of his widely syndicated articles appeared under the title of "The Reformed Calendar" and, since this is the subject which we have been discussing, I take the liberty of quoting a few paragraphs from his column:

The most important event in world history since Congress voted to prohibit skating on the Panama Canal is this proposal to reform the calendar. It seems that the calendar has been behaving in a drunk and disorderly manner, sometimes coming home at the end of the month with 31 days and at other times bringing home only 28 days and refusing to say what it did with the other 3—although I certainly have my suspicions!—and it is time something was done about it.

All this irregular behavior was especially annoying to bankers and business men. Many a time I have had men come into my bank and borrow \$8,000,000 and say, "I will pay you this on the 31st of November," and when November came around, I would discover there was no 31st, and there would be \$8,000,000 simply thrown away, and I would have to pay it out of my salary.

FINALLY CALL NEW MONTH "FIDO"

In order to have every week begin with the same day—Sunday—we had to divide the year into 13 months of 28 days each, and this meant putting a new month into the calendar. To do this we put the calendar on the table, cut it in two with a hatchet and sewed the new month in between June and July.

Personally, I was opposed to this. It meant that a busy man—who is not?—would have to remember the names of 13 months instead of 12 (1 doz.), and I favored a year of 365 months of 1 day each, numbered from 1 to 365, or a year of 1 month with the whole 365 days in it.

It then became necessary to select a name for the new month, and for several years now the "best minds" (quotation) of the committee have been working on this problem. As the new month is to be sandwiched in between June and July it was first proposed to call it "Ham," but as Henry L. Parsons does not like ham sandwiches, we were inclined to call it "Cheese" in deference to him. James C. Coffin objected.

"I insist on 'Ham,'" he said. "If we call the new month 'Ham' we can call the surplus day at the end of the year 'Eggs,' because it is, so to speak, an eggstra day, and both will be easy to remember. That is, if they'd let us live to call it."

We finally decided to call the new month "Fido."

The only other change in month names was the one we made in the case of June. Since abbreviating June as Ju and July as Ju leads to confusion, we have changed "June" to "Jane." We have, however, made some of the months change places. January and February are always cold and unpleasant and July and August are always too hot, so we have put July and August in place of January and February. This ought to average things up and make all these months pleasanter, and it will please a lot of people to have January 1 come in July as they will be away on their vacations when the bills come in, and July 4 is much better in January than where it was. Darkness comes much sooner in January and we can have the fireworks earlier in the evening.

ANUARY, BEBRUARY, CARCH

It seems that it is a great strain on busy minds to have to remember whether July comes before August or after September, and to make this easier Henry L. Parsons proposed at our last meeting to "alphabetize" the names of the months so that anyone who knows his A-B-Cs will know just where the months come in the calendar. Thus January will hereafter be called Anuary, February will be called Bebruary, March will be Carch, and April will be Dapril, and so on.

The holidays gave us a lot of trouble. Our plan was to have all holidays fall on Monday, but this made Fourth of July fall on either the 2d, 9th, 16th, or 23d, which would make two Fourths of July in one month. This we will correct by having the United States declare its Independence again, on the 2d of July, prior to which it is only necessary for Great Britain to reannex the United States. This will, of course, necessitate another War of Independence, but that would be a pretty good thing because the old one is no longer up to date, not having any poison gas, tanks, or submarines in it. It is going to be a little more difficult to get Columbus to discover America again to agree with the new calendar. The last time we were in communication with him, through Madame Borotti, the medium, he said, "No, ma'am! Ex-cuse me! If I had known what it was going to be like, I would not have discovered it in the first place." We will probably have to have America rediscovered by some needy English novelist.

Mr. Speaker, laughter is common to all of us and laughter can make us brothers. I trust that my colleagues who have heretofore favored the newly proposed calendar see clearly through their laughter as well as their serious consideration that their efforts in behalf of the new project will not tend to make the world feel more brotherly. It will add unnecessary confusion, bring about religious persecution, create economic difficulties, and altogether contribute not at all to the Brotherhood of man through the Fatherhood of God. I trust that you will not pass this resolution.

LEAVE OF ABSENCE

Mr. SELVIG, by unanimous consent (at the request of Mr. ANDRESEN), was granted leave of absence, on account of illness in his family, to-day.

EXTENSION OF REMARKS—CENSUS AND REAPPORTIONMENT

Mr. GIBSON. Mr. Speaker, the Constitution of the United States, so far as it relates to census and reapportionment, is as follows:

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. * * *

The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of 10 years, in such manner as they shall by law direct. The number of Representatives shall not exceed 1 for every 30,000, but each State shall have at least one Representative. * * *

The authority for apportioning Representatives rests on the language of the first paragraph above quoted, now section 2 of the fourteenth amendment. The census enumeration is the basis of the apportionment, as set forth in the second paragraph and is a part of section 2 of Article I of the Constitution.

It is argued that the language in the first paragraph constitutes a mandate for a new apportionment every 10 years. The provision as to the census is mandatory, but the language used as to apportionment can not be so construed. Much propaganda has been spread over the pages of the newspapers and thoughtlessly echoed here to the effect that Congress violated the Constitution by failing to pass a reapportionment law after the census of 1920. It is now generally conceded Congress was within its constitutional rights in refusing to take action.

The census of 1920 was taken at a time when conditions were unsettled after a great war; when a general shift of population was in progress; when people were away from their usual

places of abode, making a correct enumeration for the allocation of Representatives very difficult. A great injustice would have resulted to many States if representation had been fixed under that census.

A MATHEMATICAL PROBLEM

The apportionment of Representatives presents a mathematical problem. Applying the method used in 1910, the number of Representatives is first fixed, then the population per Representative is found by dividing the total number of people in the country, excluding Indians not taxed, by the number of Representatives, which has been 435 since the apportionment under the 1910 census. This division gave 211,887 persons for each Representative. The same method would have given 242,415 persons per Representative under the 1920 census. Under the 1910 census Vermont was given two Members. With a population of 352,428 the State had 211,877 for the one Representative and 140,551 left over. This number left over was more than one-half of the number 211,887, and was, therefore, a major fraction, giving the State the additional Representative.

TWO SOLUTIONS

Two solutions of the problem have been proposed, that of major fractions used after the 1910 census, and that of equal proportions. It appears that the method of major fractions has been used but twice in the history of reapportionment. The method is admittedly unsound, is not approved by mathematical societies of note, and by a comparatively few well-known mathematicians. Its principal advocate made this explanation of it in the hearings.

I will answer briefly. The method of major fractions rests on the finding of a ratio in the first place; you find a ratio which will divide the population of each State to give a certain whole number and a certain fraction in each quotient. The method of major fractions rests on the theory that a Representative should go to each State for each unit of the quotient, and also for each fraction above 0.50 in the remainder. That was the method that was followed in the last apportionment, that of 1910.

This statement by the author troubles the lay mind, to say the least. The method did not work out well in 1910, since Ohio had a major fraction and did not get the extra Representative because there were not enough Representatives to give one for each major fraction.

The method of equal proportions became available in 1921 through the efforts of Prof. Edward V. Huntington, of Harvard University. He describes this method in the following words:

The method is based on a simple and direct comparison between every State and every other State. If the population of a congressional district in one State is, say, 10 per cent larger than the population of a congressional district in another State, then there is said to be a disparity of 10 per cent between the two districts. Equal proportions guarantees that the unavoidable disparities remaining between two States can not be further reduced by any shifts in the assignments to those two States.

This is a simple explanation of a common-sense plan and carries out exactly the scheme of representation contemplated by the framers of the Constitution.

The method of equal proportions is the only method which will make both the ratio of population to representation and the ratio of representation to population as nearly the same as possible in all the States. I am not unmindful of the fact that the bill as amended in the Senate provides for the certification of the number of Members to which each State will be entitled under each method, but preference is given to the now obsolete major-fractions method.

OTHER OBJECTIONS

The measure before us provides for taking the decennial enumeration and for the reapportionment of Representatives.

I am opposed to the census portion as it was originally written because it provided for the actual enumeration at a period of the year when many of our people will be away from this usual places of abode, and when it is becoming difficult to get about our northern country. Then, it is provided for an enumeration during 1929. We have had one enumeration since 1920. Here it is proposed to have another within the "subsequent term of 10 years." Will it be contended that this complies with the provision of the Constitution?

The people of my district are opposed to the bill so far as it relates to reapportionment because, in effect, it directs the President to designate the number of Representatives for each State. The language used is a direct delegation to the executive department of authority to do something that should be done only by the legislative department. Little by little we are centralizing authority in the executive departments and divesting the legislative. We are following a dangerous course and

one which will cause trouble in the future. We are fast getting away from the ideals of the founders of the Government and going back along the long road that led to this Government of the people, for the people, and by the people.

We are opposed to it because its application will favor States with the great centers of population over those made up of rural communities. The provisions of the bill strike a blow at rural New England. I do not know what other members of that delegation may do in respect to its passage, but I shall vote to protect the interests of the people of my section of the country and have no explaining to do and no apologies to make to my constituents.

The people I have the honor to represent are opposed to the measure because it, in effect, gives representation to citizens of foreign countries to the exclusion of representation to American citizens, native born and naturalized. Why should citizens of Poland, Russia, Italy, Spain, Mexico, and other countries be entitled to be directly represented in this legislative body of the people of the United States? Why give these people a voice in shaping of our laws and deny it to the people of my State, who, with their forbears, have stood for the protection of the Nation in every crisis of her existence?

We have in our total population more than 5,000,000 persons who owe allegiance to other flags than ours who will be represented in party conventions and in the Electoral College and who, though not citizens of this country and without sufficient interest in our institutions to even apply for naturalization, will be counted to add to the number of electoral votes of the States in which they reside.

We have in this country more than 2,000,000 persons who are here without right and in defiance of law, and yet it is proposed to count them, together with the orientals who are expressly denied citizenship, to increase the representation of certain States and to give to those States a greater influence in framing the laws of the Nation than is given to the native-born and the naturalized citizens of my State.

The only excuse for this proposed action is that to refuse to count aliens would be in violation of the Constitution. Those who urge that reason should study the splendid argument to the contrary by that great authority on the Constitution, the gentleman from Virginia [Mr. TUCKER].

When the word "persons" was used in the Constitution did it mean American persons or persons owing allegiance to other countries? For whom did we ordain and establish our Constitution? Was it for citizens of the then new Nation or for citizens of other nations? The answer is right before us in the preamble in the words "for ourselves and our posterity."

I am not opposed to reapportionment at the proper time. When the census enumeration is completed there should be a new allocation of Members. But this Congress should not put itself in a position of saying to a future Congress, "If you do not pass a proper law you must take what we give you." We are trying to do the work that should be done by another Congress.

Mr. CLANCY. Mr. Speaker, Detroiters can well rejoice over the great constitutional victory they won to-day in the House. The fact that the reapportionment bill had tough sledding over a very rocky road and was threatened time and again with disaster, makes victory all the more sweet.

Detroit will gain three or four new Congressmen when this bill goes into effect. As I was a member of the Census Committee which shaped the bill practically as it is, after many bitter and fierce quarrels in committee and on the floors of the House and Senate, I take a deep personal satisfaction in to-day's results. We are just closing one of the greatest constitutional struggles in the history of the country since the constitutional contest over slavery which ended only on the battle fields of the Civil War.

DETROIT FACES STRUGGLE

I predict that Detroit will face within a year or two the fiercest constitutional struggle in the State legislature that Michigan has ever seen. It will be the same battle that has been fought in the House—the rural versus the city forces. I have not the slightest doubt but that serious efforts will be put forth in the Michigan Legislature to gerrymander and shoe-string congressional districts, so that Detroit's representation in Congress is cut down as much as possible. The same battle will be fought undoubtedly between the country and the city forces in the States of New York, Illinois, Missouri, California, and in other States where the issue has been drawn between the city and country for many years. It seems fair to presume that the disposition of the governors in Michigan and these other States will be one of the deciding factors as to whether the big cities get justice or not.

It behooves Detroit to prepare for this struggle by seeing that all eligible allens become citizens as rapidly as possible,

as the census will be taken within a year and the more aliens it shows in Detroit the more powerful weapons are placed in the hands of the State legislature to deprive Detroit of Congressmen to which it is justly entitled.

FEWER ALIENS IN DETROIT

The foes of reapportionment have tried to make aliens in the big cities their scapegoats. Several times in this debate these foes have charged that there are upward of 300,000 aliens in Detroit. On June 3, at the beginning of this debate, I discussed quite fully the probable number of aliens in Detroit, and quoted a telegram from O. T. Moore, the United States naturalization district director at Detroit, giving it as his opinion that instead of upward of 300,000 aliens residing in Detroit he estimated the number at considerably below 100,000. This number is being cut down monthly through efforts of public-spirited men in Detroit, who are urging and compelling aliens to become citizens and through the natural desire of the aliens themselves to become citizens.

I hope to see the efforts to cut down the number of aliens in Detroit through citizenship intensified within the next few months. Enemies of Detroit in the State legislature will probably abuse the presence of aliens in Detroit to cut down the number of Congressmen who are allotted to Detroit and Wayne County in the next redistricting by the legislature.

As a matter of fact, the real animosity of the foes of reapportionment toward Detroit arises not from the number of aliens so much as the number of college graduates in Detroit.

Most newspapers are owned by college men and most newspaper reporters and editors who unceasingly criticize bigotry and fanaticism are college graduates. Having gone through four years of college they are less provincial and prone to petty and religious hatred than others who have not enjoyed the privilege of coming into contact with the sportsmanship or higher education of the college.

MORE COLLEGE GRADUATES

The charges against Detroit with regard to aliens did not take into consideration the fact that there are undoubtedly more college graduates per capita in Detroit than in the congressional districts of Detroit's critics. The University of Michigan Club of Detroit is the largest body of college alumni in the world.

One of the professors of the University of Michigan has recently published statistics showing that the cities are sending more boys to college per capita now than the rural districts are. These figures overthrow the common belief to the contrary. It is also true that more college men settle down in cities like Detroit than upon the farms or in small towns. The reason is that they have a better opportunity to practice their profession and make more money. They also appreciate more the greater conveniences of life and the greater opportunities for a better existence than in the rural sections of the country.

Detroit hardly needs a defense from me against the unjust attacks made upon it in the House during these debates on reapportionment. Detroit is probably the richest city in the world per capita, and an individual has greater opportunity there than in any other city in the world to gain the good things of life.

DETROIT GREAT TRADE CITY

Detroit is the most distinctive trade city in the world to-day. It leads the world in many lines of manufacture, and its products are a godsend to all the peoples of the earth. It is the home of the greatest captain of industry the world has ever known—Henry Ford—and it is the home also of probably more well-known captains of industry than any other city in the world. As one travels in the United States or in other parts of the world he will find more inquiries and more curiosity about the greatness of Detroit and its celebrated men than any other city on this planet.

Detroit has suffered these recent attacks because it has taken the lead in Congress in the battle for reapportionment which spells a new era in progress and enlightenment for this country. For at least eight years Detroit has been cheated out of the additional three or four Congressmen to which it is entitled under the Constitution of the United States. It has protested vigorously against this injustice and has helped to stir up sentiment in all the big cities and in the press of the country against this outrage.

Los Angeles will probably get as many additional Congressmen under the reapportionment as Detroit, but Los Angeles has not been criticized in Congress.

Texas, North Carolina, and Florida will gain additional Congressmen, and I predict that Texas will show a surprising increase in population and may get as many additional Congressmen as Michigan, but one has never heard any comments or criticism of Texas that has been recently heaped upon Michigan.

TWO DETROITERS ON COMMITTEE

Detroit and Michigan have fought the battles of the growing cities and States of this country, and with the blame and criticism should go the praise, the honor, and the glory.

It was eminently fitting and proper that the House Republican organization should place upon the Census Committee two Congressmen from Detroit, thus breaking all precedents in committee organization. This act has stirred the rage of foes of reapportionment in the House and Senate, but it is a tribute to the wisdom and fairness of Speaker NICHOLAS LONGWORTH, Leader TILSON, and the Republican committee on committees.

In this connection I wish to express my own gratitude and that of the six or seven hundred thousand Detroiters whom I represent, to Speaker LONGWORTH and Leader TILSON particularly. Reapportionment would have failed within the last few days except for their heroic efforts and brilliant leadership. I know my city and State is grateful to Messrs. LONGWORTH and TILSON.

I wish also to express my gratitude and that of my people to Congressman CARL CHINDBLOM, who was one of the most powerful floor leaders in the battle for reapportionment, and also to my colleagues from Michigan, Congressmen CLARENCE J. McLEOD, CARL MAPES, and EARL MICHENER, who labored so valiantly in stirring up sentiment throughout the country for reapportionment and in organizing the House for victory.

HOUSE WILL BE LEGAL

These men will help to lift from the House the odium of hypocrisy which was continually being charged against it by the press of the country in the matter of reapportionment. We have also made it probable that in 1932 the House will be for the first time in a number of years legally constituted and organized under the Constitution by one stroke. We will have switched the House membership from a dishonorable to an honorable body. We have fully earned this praise and distinction.

A CORRECTION THAT DID NOT CORRECT

Mr. KOPP. Mr. Speaker, under leave granted to Members of the House to extend their remarks on reapportionment, I make this brief statement.

On February 7, 1929, I addressed the House on the reapportionment bill, which had passed the House a few weeks before and which was then pending in the Senate. The closing paragraph was as follows:

In conclusion I call the proponents of this bill back to a defense of the Constitution. I ask you to join us in the great work in which we are now engaged. I beseech you not to enact a law that will blush for shame every time it meets the Constitution face to face. There is still time to return. An old familiar quotation, with a slight modification to make it accurate and truthful, fits this situation, and with that quotation I close:

While yet the light holds out to burn
The brightest sinner may return.

This paragraph was printed correctly in the daily RECORD and in the biweekly RECORD, and I had no reason to believe it would be printed otherwise in the bound volumes of the permanent RECORD. Yesterday, however, my attention was called to the fact that some unknown genius in the Government Printing Office had changed the word "brightest" to "vilest" and that the last line in the permanent RECORD (page 3035 in part 3 of volume 70) read thus:

The vilest sinner may return.

Just why this unknown genius took the liberty to substitute "vilest" for "brightest" I do not know. Perhaps he thought I needed help to bring my remarks to a proper conclusion. Certainly, I would not criticize that viewpoint. He may have thought that my theology was not sufficiently orthodox. It may have occurred to him that to speak of "the brightest sinner" was rather modernistic and that "the vilest sinner" was more in harmony with fundamentalism. It may be that his purpose was to inspire mankind, like the youth who passed through the Alpine village crying out "Excelsior." Possibly he thought that "the brightest sinner" was an inaccurate expression. The paragraph in question self-evidently referred to Members of Congress and he may have felt that it was incorrect to allude to a Member of Congress as "the brightest sinner." He apparently concluded that "the vilest sinner" would be more truthful and appropriate.

Whatever the high purpose of this unknown genius, I want to thank him for his profound interest in my remarks; but the fact remains that he made me say the very thing I did not wish to say and which I refused to say. I deeply appreciate his generous interference and the remarkable ability he demonstrated in wrecking a whole line by the change of a single word, but I can not concede that it was excessive praise to refer to a Member of Congress as "the brightest sinner."

I must insist that the closing lines remain as they were written and as they were printed in the daily and biweekly RECORD before this unknown genius played the part of the genial and well-known character in the china shop. Notwithstanding the efforts of this unknown genius and notwithstanding my deep veneration for him, I must insist that my remarks closed with these words:

While yet the light holds out to burn
The brightest sinner may return.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 27 minutes p. m.) the House adjourned until to-morrow, Wednesday, June 12, 1929, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

33. Under clause 2 of Rule XXIV, a letter from the Architect of the Capitol, transmitting report, estimate of cost, and photographs relating to the proposed building for the Supreme Court of the United States (H. Doc. No. 36), was taken from the Speaker's table and referred to the Committee on Public Buildings and Grounds and ordered to be printed, with illustrations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ELLIOTT: A bill (H. R. 3864) to provide for the construction of a building for the Supreme Court of the United States; to the Committee on Public Buildings and Grounds.

By Mr. HUDSON: A bill (H. R. 3865) to establish a border patrol for the more efficient enforcement of the laws of the United States; to the Committee on the Judiciary.

By Mr. SANDERS of Texas: A bill (H. R. 3866) to appropriate \$350,000 for the erection of a new Federal building at Tyler, Tex., or the enlargement of the old one; to the Committee on Public Buildings and Grounds.

By Mr. WINGO: A bill (H. R. 3867) to establish the Ouachita National Park in the State of Arkansas; to the Committee on the Public Lands.

By Mr. CULKIN: A bill (H. R. 3868) to promote the public health of all who are engaged in the service or defense of the United States in the Army and Navy and all of the Government, and to encourage the dairy industry in the interest of the general welfare; to the Committee on Agriculture.

By Mr. McSWAIN: A bill (H. R. 3869) to authorize the acquisition of additional land for the use of Walter Reed General Hospital; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUF DER HEIDE: A bill (H. R. 3870) granting a pension to Clara Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3871) granting a pension to Emil August Eggers; to the Committee on Pensions.

Also, a bill (H. R. 3872) granting an increase of pension to Johanna Lynch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3873) granting an increase of pension to Anna Drewes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3874) granting an increase of pension to James J. Kadien; to the Committee on Pensions.

Also, a bill (H. R. 3875) for the relief of George Patterson; to the Committee on Military Affairs.

By Mr. AYRES: A bill (H. R. 3876) for the relief of Amos F. Westerfield; to the Committee on Military Affairs.

By Mr. CHINDBLOM: A bill (H. R. 3877) for the relief of Clara Thurnes; to the Committee on Claims.

By Mr. COCHRAN of Missouri: A bill (H. R. 3878) granting a pension to Essie Hortobben; to the Committee on Pensions.

By Mr. CULKIN: A bill (H. R. 3879) granting an increase of pension to Mary A. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3880) granting an increase of pension to Emma E. Roulston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3881) granting an increase of pension to Popple H. Winslow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3882) granting an increase of pension to Anna Bragdon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3883) granting an increase of pension to Alice A. Eggleston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3884) granting an increase of pension to Nellie M. Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3885) granting an increase of pension to Mary J. Perry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3886) granting an increase of pension to Harriett S. Blair; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3887) granting an increase of pension to Iola A. McBride; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3888) granting an increase of pension to Thomas Devine; to the Committee on Pensions.

Also, a bill (H. R. 3889) for the relief of Albert A. Inman; to the Committee on Claims.

Also, a bill (H. R. 3890) for the relief of J. Edward Burke; to the Committee on Claims.

Also, a bill (H. R. 3891) for the relief of Harry Martin; to the Committee on Claims.

Also, a bill (H. R. 3892) for the relief of Peter Christy, jr.; to the Committee on Military Affairs.

Also, a bill (H. R. 3893) granting a pension to Lillian B. Miner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3894) granting a pension to Maude Oatman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3895) granting a pension to Jennie E. Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3896) granting a pension to Mary J. Ransier; to the Committee on Invalid Pensions.

By Mr. ESTERLY: A bill (H. R. 3897) granting an increase of pension to Hannah Kissinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3898) granting an increase of pension to Mary Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3899) granting an increase of pension to Amelia Bauman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3900) granting an increase of pension to Rose Faust; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3901) granting an increase of pension to Ruth McConnell; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 3902) authorizing the Postmaster General to credit the account of the late Postmaster Charles J. Shoemaker, at Sandpoint, Idaho, with certain funds; to the Committee on Claims.

By Mr. HARDY: A bill (H. R. 3903) granting an increase of pension to Anna Mason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3904) granting an increase of pension to Sophy Nash; to the Committee on Invalid Pensions.

By Mr. HOFFMAN: A bill (H. R. 3905) for the relief of Ellen C. Hogan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3906) for the relief of Nicholas Mecca; to the Committee on Military Affairs.

By Mr. HOWARD: A bill (H. R. 3907) granting an increase of pension to Rebecca C. Walker; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Illinois: A bill (H. R. 3908) granting an increase of pension to Nellie W. McAndrews; to the Committee on Pensions.

By Mr. LEA of California: A bill (H. R. 3909) granting a pension to Anna H. E. Hale; to the Committee on Invalid Pensions.

By Mr. MOORE of Virginia: A bill (H. R. 3910) to extend the benefits of the employers' liability act of September 7, 1916, to Lawrence A. Jett; to the Committee on Claims.

By Mr. NELSON of Missouri: A bill (H. R. 3911) granting an increase of pension to Margaret E. Orwan; to the Committee on Invalid Pensions.

By Mrs. NORTON: A bill (H. R. 3912) granting an increase of pension to Mary Brennan; to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 3913) granting a pension to Lewis W. Siler; to the Committee on Invalid Pensions.

By Mr. FRANK M. RAMEY: A bill (H. R. 3914) for the relief of Kenneth N. Whitley; to the Committee on Claims.

By Mr. SCHAFER of Wisconsin: A bill (H. R. 3915) for the relief of Mrs. Henry Virkula; to the Committee on Claims.

By Mr. SPEAKS: A bill (H. R. 3916) granting an increase of pension to Dorothea E. Morgan; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 3917) granting an increase of pension to Harriett E. Tongue; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 3918) granting a pension to Ruth A. Stanley; to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 3919) granting an increase of pension to Mary A. Burbank; to the Committee on Invalid Pensions.

SENATE

WEDNESDAY, June 12, 1929

(Legislative day of Tuesday, June 4, 1929)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the joint resolution (S. J. Res. 50) to provide for the observance of the one hundred and fiftieth anniversary of the death of Brig. Gen. Casimir Pulaski.

The message also announced that the House had passed the following bill and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 3317. An act to amend the act entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1930, and for other purposes";

H. J. Res. 2. Joint resolution to authorize the President to accept the invitation of the Kingdom of Iceland to participate in the celebration of the one thousandth anniversary of the Althing and in connection therewith to present to the people of Iceland a statue of Leif Ericsson; and

H. J. Res. 102. Joint resolution making an appropriation for expenses of participation by the United States in the meeting of the International Technical Consulting Committee on Radio Communications to be held at The Hague in September, 1929.

HOUSE JOINT RESOLUTIONS REFERRED

The following joint resolutions were each read twice by their titles and referred as indicated below:

H. J. Res. 2. Joint resolution to authorize the President to accept the invitation of the Kingdom of Iceland to participate in the celebration of the one thousandth anniversary of the Althing and in connection therewith to present to the people of Iceland a statue of Leif Ericsson; to the Committee on Foreign Relations.

H. J. Res. 102. Joint resolution making an appropriation for expenses of participation by the United States in the meeting of the International Technical Consulting Committee on Radio Communications to be held at The Hague in September, 1929; to the Committee on Appropriations.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to call a Federal convention for the purpose of proposing amendments to the United States Constitution, which was referred to the Committee on the Judiciary. (See joint resolution printed in full when presented by Mr. LA FOLLETTE, June 10, 1929, page 2590 of the RECORD.)

He also laid before the Senate the petition of J. H. and Eva Metcalf, of Muleshoe, Bailey County, Tex., descendants of John Colston, a Cherokee Indian, praying reimbursement, with interest, from the United States for the alleged wrongful taking of lands and moneys from their ancestors in the enrollment and allotment of lands as eastern immigrant Cherokee Indians and stipulating the amount of attorney fees on judgments that may be rendered in their behalf, which was referred to the Committee on Indian Affairs.

He also laid before the Senate resolutions adopted by the Maryland State and District of Columbia Federation of Labor, in convention assembled at Frostburg, Md., favoring the making of sufficient appropriations to maintain naval strength as agreed to by the Washington treaty of 1922, known as the 5-5-3 treaty, until such time that future treaties may otherwise determine, which were referred to the Committee on Naval Affairs.

He also laid before the Senate a resolution adopted by the Maryland State and District of Columbia Federation of Labor, in convention assembled at Frostburg, Md., favoring the passage of more liberal retirement legislation for incapacitated employees of the Government, which was referred to the Committee on Civil Service.

Mr. DILL presented a resolution adopted by John W. Wolley Camp, No. 21, Department of Washington and Alaska, United Spanish War Veterans, favoring the passage of Senate bill 476, granting increased pensions to Spanish War veterans, which was referred to the Committee on Pensions.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows: